

HOUSE OF REPRESENTATIVES.

THURSDAY, December 15, 1904.

The House met at 12 o'clock m.

Prayer by the Chaplain, Rev. HENRY N. COUDEN, D. D.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed bills of the following titles; in which the concurrence of the House of Representatives was requested:

S. 5512. An act granting an increase of pension to John W. Carleton;
 S. 1996. An act granting an increase of pension to William R. Williams;
 S. 2212. An act granting a pension to Charles N. Wood;
 S. 5514. An act granting an increase of pension to Samuel S. Lamson;
 S. 3742. An act granting an increase of pension to Juliet C. Bainbridge-Hoff;
 S. 1539. An act granting an increase of pension to Edward Shiffett;
 S. 4767. An act granting an increase of pension to Henry Snidemiller;
 S. 3906. An act granting an increase of pension to James H. V. Voldo, alias James H. Venier;
 S. 424. An act granting a pension to George W. Lehman;
 S. 5859. An act granting an increase of pension to Henry Breslin;
 S. 5735. An act granting an increase of pension to Washington Lenhart;
 S. 5744. An act granting an increase of pension to Joseph A. Rhodes;
 S. 5743. An act granting an increase of pension to James Riordan;
 S. 5742. An act granting an increase of pension to Nickles Dockendorf;
 S. 5738. An act granting an increase of pension to Enoch Russell;
 S. 5737. An act granting an increase of pension to John W. See;
 S. 5733. An act granting an increase of pension to Monroe Wright;
 S. 5858. An act granting an increase of pension to John Hubbard;
 S. 5857. An act granting an increase of pension to James Bryson;
 S. 5734. An act granting an increase of pension to George H. Woodbury;
 S. 5745. An act granting an increase of pension to Mary M. Mitchell;
 S. 5736. An act granting an increase of pension to Charles E. Gilbert;
 S. 5746. An act granting an increase of pension to Anne Jones;
 S. 5450. An act granting an increase of pension to George R. Lingenfelter;
 S. 2287. An act granting an increase of pension to S. J. Brainard;
 S. 5531. An act granting an increase of pension to Catherine Jones;
 S. 5501. An act granting an increase of pension to Sarah A. Rowe;
 S. 4002. An act granting an increase of pension to Susan E. Armitage;
 S. 3390. An act granting a pension to Emily E. Cram;
 S. 5379. An act granting an increase of pension to Bird Solomon;
 S. 5378. An act granting an increase of pension to John H. Ash;
 S. 4070. An act granting an increase of pension to A. Fellenreter;
 S. 2238. An act granting an increase of pension to William Strawn;
 S. 5572. An act granting an increase of pension to Alafire Chastain;
 S. 1208. An act granting an increase of pension to Samuel G. Magruder;
 S. 5574. An act granting an increase of pension to Colon Thomas;
 S. 1207. An act granting an increase of pension to James D. Stewart;

S. 3076. An act granting a pension to Arthur W. Post;
 S. 5496. An act granting an increase of pension to Jesse L. Sanders;
 S. 5472. An act granting an increase of pension to Mary J. Weems;
 S. 5589. An act granting an increase of pension to Mary E. Burrell;
 S. 5508. An act granting a pension to Abraham B. Miller;
 S. 5558. An act granting an increase of pension to Susan C. Schroeder;
 S. 316. An act granting an increase of pension to Elmore Y. Chase;
 S. 2972. An act granting an increase of pension to Thomas Boyle;
 S. 5346. An act granting an increase of pension to Amon A. Webster;
 S. 2117. An act granting an increase of pension to Phillip L. Hiteshew;
 S. 2574. An act granting an increase of pension to Nelson Percell;
 S. 5741. An act granting an increase of pension to Stephen Welch;
 S. 3356. An act granting an increase of pension to Rebecca A. Teter;
 S. 3286. An act granting an increase of pension to Charles D. Creed;
 S. 554. An act granting an increase of pension to Thomas P. Farley;
 S. 2096. An act granting an increase of pension to John W. Millett;
 S. 4382. An act granting an increase of pension to John B. Harvey;
 S. 5214. An act granting an increase of pension to William P. Renfro;
 S. 4408. An act granting an increase of pension to Robert N. Button;
 S. 3232. An act granting an increase of pension to William O. Gould;
 S. 1810. An act granting an increase of pension to George W. Thomas;
 S. 3755. An act granting an increase of pension to William H. Covert;
 S. 5427. An act granting an increase of pension to Ruhema C. Horsman;
 S. 4221. An act granting an increase of pension to Henry C. Stroman;
 S. 552. An act granting a pension to Ira K. Eaton;
 S. 4208. An act granting an increase of pension to Sarah Forsythe Bache;
 S. 3357. An act granting an increase of pension to Welcome B. French;
 S. 3100. An act granting an increase of pension to Howard Wiley;
 S. 377. An act granting an increase of pension to Ezra W. Cartwright;
 S. 4383. An act granting a pension to Mary E. Penn;
 S. 3522. An act granting an increase of pension to Samuel J. Dennison;
 S. 4273. An act granting an increase of pension to Frazee A. Campbell;
 S. 2286. An act granting an increase of pension to James Thompson;
 S. 3453. An act granting an increase of pension to David Whitney;
 S. 5732. An act granting a pension to Philip Lawotte;
 S. 5740. An act granting an increase of pension to Clemon Clooten;
 S. 5739. An act granting an increase of pension to Adolphe Bessie;
 S. 5129. An act granting an increase of pension to Thompson Martin;
 S. 5428. An act granting an increase of pension to Joseph J. Hedrick;
 S. 3482. An act granting an increase of pension to Alfred H. Le Fevre;
 S. 5271. An act granting an increase of pension to Paul Diebitsch;
 S. 2493. An act granting an increase of pension to Alfred Tichurst;
 S. 2492. An act granting an increase of pension to George W. Tuttle;
 S. 4393. An act granting an increase of pension to Cora A. Baker;
 S. 2274. An act granting an increase of pension to Joseph J. Carson;

S. 5339. An act granting an increase of pension to Sidney B. Hamilton;
 S. 4808. An act granting an increase of pension to John Worley;
 S. 2339. An act granting an increase of pension to Carolina Apfel;
 S. 4199. An act granting a pension to William Rufus Kelly;
 S. 2890. An act granting a pension to Andrew C. Kemper;
 S. 844. An act granting an increase of pension to Mary L. Duff;
 S. 2333. An act granting a pension to Benjamin F. Hall;
 S. 4986. An act granting an increase of pension to Philo S. Bartow;
 S. 5358. An act granting an increase of pension to Thomas Talor;
 S. 3001. An act granting an increase of pension to Adrianna Lowell;
 S. 5190. An act granting an increase of pension to William Berry;
 S. 567. An act granting an increase of pension to William Cody;
 S. 2518. An act granting an increase of pension to Clarinda A. Spear;
 S. 566. An act granting an increase of pension to William H. Hart;
 S. 5445. An act granting an increase of pension to Caroline L. Guild;
 S. 5206. An act granting an increase of pension to Lucy Jane Ball;
 S. 5444. An act granting a pension to Julia E. Neale;
 S. 801. An act granting an increase of pension to Samuel L. D. Goodale;
 S. 2581. An act granting an increase of pension to Myron D. Hill;
 S. 5345. An act granting an increase of pension to Thomas Coughlin;
 S. 850. An act granting an increase of pension to Henry V. Sims;
 S. 5120. An act granting an increase of pension to William H. Chamberlain;
 S. 2231. An act granting an increase of pension to Bessie M. Dickinson;
 S. 5758. An act granting an increase of pension to Sallie B. Weber;
 S. 4766. An act granting an increase of pension to Frederick Clark;
 S. 4395. An act granting an increase of pension to Thomas H. Walker;
 S. 1830. An act granting an increase of pension to Sarah E. Austin;
 S. 5297. An act granting an increase of pension to Jerry L. Gray;
 S. 5532. An act granting an increase of pension to Edwin A. Knight;
 S. 4151. An act granting an increase of pension to Thomas J. Spencer;
 S. 5714. An act granting an increase of pension to John McKenne;
 S. 5713. An act granting an increase of pension to Robert Crowther;
 S. 5715. An act granting an increase of pension to Benjamin Bickford;
 S. 5781. An act granting an increase of pension to John A. Steele;
 S. 5530. An act granting a pension to William R. Cahoon;
 S. 5810. An act granting an increase of pension to Joseph Reber;
 S. 5716. An act granting an increase of pension to Dotha J. Whipple;
 S. 5811. An act granting an increase of pension to Franklin Waller;
 S. 5807. An act granting an increase of pension to Sarah J. F. Robinson;
 S. 5476. An act granting an increase of pension to Joel F. Howe;
 S. 5661. An act granting an increase of pension to Daniel B. Bush;
 S. 2850. An act granting an increase of pension to Sallie J. Calkins;
 S. 2848. An act granting an increase of pension to William H. Lewis;
 S. 2009. An act granting a pension to Richard Dunn;
 S. 5535. An act granting an increase of pension to Alexander McConneha;
 S. 776. An act granting an increase of pension to Calvin H. Morris;

S. 1981. An act granting an increase of pension to Elizabeth V. Reynolds;
 S. 3239. An act granting an increase of pension to George W. D. Buchanan;
 S. 1413. An act granting an increase of pension to Louisa D. Miller;
 S. 266. An act granting a pension to Emma S. Harney;
 S. 4477. An act granting an increase of pension to John C. Craven;
 S. 4038. An act granting an increase of pension to George E. Yingling;
 S. 2310. An act granting an increase of pension to William Dar;
 S. 784. An act granting an increase of pension to Beverly Waugh;
 S. 2945. An act granting an increase of pension to Sallie M. Nuzum;
 S. 1541. An act granting an increase of pension to Commodore P. Hall;
 S. 4103. An act granting an increase of pension to John W. Rulette;
 S. 3624. An act granting an increase of pension to Peter D. Moore;
 S. 2915. An act granting a pension to Mary Williamson;
 S. 3982. An act making an additional appropriation for the Battery Point post light, in the State of Washington;
 S. 4007. An act to authorize an increase in the appropriation for a dwelling for assistant keepers at Point Bonita, California;
 S. 4005. An act to establish a fog signal on one of the jetties at the entrance to the harbor at Humboldt Bay, California;
 S. 4004. An act to establish at Cape Mendocino, California, quarters for the light keeper;
 S. 342. An act for the improvement of the Mount Rainier National Park, in the State of Washington;
 S. 701. An act to validate certain certificates of soldiers' additional homestead rights; and
 S. 5704. An act to incorporate the American National Red Cross.

The message also announced that the Senate had passed without amendment joint resolution of the following title:

H. J. Res. 176. Joint resolution to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1904, on the 20th day of said month.

The message also announced that the Senate had passed the following concurrent resolution; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 86.

Resolved by the Senate (the House of Representatives concurring), That there be printed from existing stereotype plates and bound in cloth 1,500 copies of the "Executive Register of the United States, 1789 to 1902," of which 500 copies shall be for the use of the Senate and 1,000 copies for the use of the House of Representatives.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 3982. An act making an additional appropriation for the Battery Point post light, in the State of Washington—to the Committee on Appropriations.

S. 701. An act to validate certain certificates of soldiers' additional homestead right—to the Committee on Private Land Claims.

S. 4007. An act to authorize an increase in the appropriation for a dwelling for assistant keepers at Point Bonita, California—to the Committee on Interstate and Foreign Commerce.

S. 4005. An act to establish a fog signal on one of the jetties at the entrance to the harbor at Humboldt Bay, California—to the Committee on Interstate and Foreign Commerce.

S. 5704. An act to incorporate the American National Red Cross—to the Committee on Foreign Affairs.

S. 4004. An act to establish, at Cape Mendocino, California, quarters for the light keeper—to the Committee on Interstate and Foreign Commerce.

Senate concurrent resolution 86.

Resolved by the Senate (the House of Representatives concurring), That there be printed from existing plates and bound in cloth 1,500 copies of the Executive Register of the United States, 1789 to 1902, of which 500 copies shall be for the use of the Senate and 1,000 copies for the use of the House of Representatives—to the Committee on Printing.

ENROLLED BILLS SIGNED.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 708. An act authorizing the Secretary of the Interior to authorize the building of a bridge across Thief River in the State of Minnesota;

- S. 3791. An act granting an increase of pension to Edwin J. Tenney;
 S. 4417. An act granting an increase of pension to Chadbourne H. Warren;
 S. 4690. An act granting an increase of pension to Andrew W. Switzer;
 S. 5184. An act granting a pension to Ethel Talley;
 S. 5263. An act granting a pension to Annie M. Eapolucci;
 S. 5416. An act granting an increase of pension to James A. Hopson;
 S. 5423. An act granting an increase of pension to Ellen J. Morton;
 S. 5484. An act granting an increase of pension to Burnetta B. Lehmann;
 S. 5492. An act granting an increase of pension to Mary F. Holden;
 S. 5556. An act granting an increase of pension to Sarah A. Hoback; and
 S. 2114. An act to fix the rank of certain officers in the Army.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

Sundry messages, in writing, from the President of the United States, were communicated to the House of Representatives by Mr. FOSTER, one of his secretaries.

PONCE AND GUAYAMA RAILROAD COMPANY.

The SPEAKER laid before the House the following message from the President of the United States, which, with the accompanying documents, was referred to the Committee on Insular Affairs, and ordered to be printed:

To the Senate and House of Representatives:

Referring to section 32 of the act approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I transmit herewith an ordinance enacted by the executive council of Porto Rico on April 2, 1904, authorizing the transfer to the Ponce and Guayama Railroad Company of the franchise, rights, and exemptions granted to the Compania de los Ferrocarriles de Puerto Rico for the construction and maintenance of a railway between Ponce and Guayama; and also the transfer and assignment of such franchise, rights, and exemptions from the American Railroad Company of Porto Rico Central Aguirre Operator to the said Ponce and Guayama Railroad Company.

This ordinance was approved by the President of the United States on May 2, 1904, subject to qualification.

Attention is invited to the accompanying report of the Secretary of State.

THEODORE ROOSEVELT.

WHITE HOUSE, December 14, 1904.

AMERICAN RAILROAD COMPANY OF PORTO RICO.

The SPEAKER laid before the House the following message from the President of the United States; which, with the accompanying documents, was referred to the committee on Insular Affairs, and ordered to be printed:

To the Senate and House of Representatives:

Referring to section 32 of the act approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I transmit herewith an ordinance enacted by the executive council of Porto Rico on August 30, 1904, granting to the Compania de los Ferrocarriles de Puerto Rico and to its assign, the American Railroad Company of Porto Rico, the right to construct a spur or branch railway track connecting its warehouse at the Playa of Ponce with its main line, which ordinance was approved by the President of the United States on October 8, 1904, subject to qualification.

Attention is invited to the accompanying report of the Secretary of State.

THEODORE ROOSEVELT.

WHITE HOUSE, December 14, 1904.

VANDEGRIFT CONSTRUCTION COMPANY.

The SPEAKER also laid before the House the following message from the President of the United States; which, with the accompanying documents, was referred to the Committee on Insular Affairs, and ordered to be printed:

To the Senate and House of Representatives:

Referring to section 32 of the act approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I transmit herewith an ordinance enacted by the executive council of Porto Rico on July 7, 1904, amending an ordinance granting to the Vandegrift Construction Company the right to build and operate a line of railway between the municipality of San Juan and the Playa of Ponce in the island of Porto Rico, and to develop electric energy by water or other power for distribution and sale for railway, lighting, and industrial purposes.

This ordinance was approved by the President of the United States on August 2, 1904, subject to qualification.

Attention is invited to the accompanying report of the Secretary of State.

THEODORE ROOSEVELT.

WHITE HOUSE, December 14, 1904.

AMERICAN RAILROAD COMPANY OF PORTO RICO.

The SPEAKER also laid before the House the following message from the President of the United States; which, with the

accompanying documents, was referred to the Committee on Insular Affairs, and ordered to be printed:

To the Senate and House of Representatives:

Referring to section 32 of the act approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I transmit herewith an ordinance enacted by the executive council of Porto Rico on November 4, 1904, granting to the Compania de los Ferrocarriles de Puerto Rico and to its assign, the American Railroad Company of Porto Rico, the right to construct a spur or branch railway track running from its station of Lajas in the southwest direction toward the district of Boqueron for a distance of about 7 kilometers, which ordinance was approved by the President of the United States on December 8, 1904, subject to qualification.

Attention is invited to the accompanying report of the Secretary of State.

THEODORE ROOSEVELT.

WHITE HOUSE, December 14, 1904.

PONCE RAILWAY AND LIGHT COMPANY.

The SPEAKER also laid before the House the following message from the President of the United States, which, with the accompanying documents, was referred to the Committee on Insular Affairs, and ordered to be printed.

To the Senate and House of Representatives:

Referring to section 32 of the act approved April 12, 1900, entitled "An act temporarily to provide revenues and a civil government for Porto Rico, and for other purposes," I transmit herewith an ordinance enacted by the executive council of Porto Rico on August 30, 1904, granting to the Ponce Railway and Light Company the right to construct branch tracks, or extensions of its present line of railway, around the Playa of Ponce, which ordinance was approved by the President of the United States on October 8, 1904, subject to qualification.

Attention is invited to the accompanying report of the Secretary of State.

THEODORE ROOSEVELT.

WHITE HOUSE, December 14, 1904.

CHANGES OF REFERENCE.

By unanimous consent the following changes of reference were made:

House Document 49, estimates of appropriations for the Indian service, from the Committee on Appropriations, to the Committee on Indian Affairs.

House Document 89, estimates of emergency appropriations for combating the boll weevil, from the Committee on Appropriations, to the Committee on Agriculture.

House Document 94, estimates of appropriations for the diplomatic and consular service, from the Committee on Appropriations, to the Committee on Foreign Affairs.

House Document 104, additional papers in the claim of Naomi E. Daly, from the Committee on Appropriations, to the Committee on Claims.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted to Mr. OTIS indefinitely, on account of sickness.

CONTESTED-ELECTION CASE OF REYNOLDS *v.* BUTLER.

Mr. OLMSTED. Mr. Speaker, by direction of the Committee on Elections No. 2, I present a resolution from that committee, with an accompanying report, in the contested-election case of George D. Reynolds *v.* James J. Butler, from the Twelfth district of Missouri, for present consideration. In view of previous contests in the last Congress, in which one of the parties to this contest was involved, and from the district partly but not entirely the same, it is proper that a brief statement should be made at this time with relation to the action which the committee now asks the House to take. At the regular election for the choice of a Representative in the Fifty-seventh Congress—

The SPEAKER. Will the gentleman from Pennsylvania suspend a moment until the Clerk reports the resolution?

The Clerk read as follows:

Resolved, That Committee on Elections No. 2 shall be, and is hereby, discharged from further consideration of the contested-election case of George D. Reynolds *v.* James J. Butler, from the Twelfth Congressional district of Missouri.

Mr. OLMSTED. At the regular Congressional election in 1900 James J. Butler was returned as elected a Representative in the Fifty-seventh Congress from the Twelfth district of Missouri. His seat was contested by William M. Horton. The Committee on Elections No. 1, to which that case was referred, reported that the election was so permeated with fraud that there had not been a fair expression of the choice of the voters, and the House, acting upon that report, voted to declare the seat vacant. Thereupon the governor of Missouri ordered a special election to fill the vacancy. At that election Mr. Butler was again a candidate to fill the vacancy caused by his own unseating. Mr. Wagoner was a candidate against him. Mr. Butler was again returned as elected, and at the second session of the Fifty-seventh Congress Mr. Wagoner contested his election. In that case the Committee on Elections No. 2, to which it was referred,

reported that in certain districts named the frauds were so glaring and so gross and so clearly proved that, following the numerous precedents of this House and repeated decisions of the courts, it became necessary to exclude those precincts entirely, because it was impossible to tell what honest votes, if any, had been cast by duly authorized persons, and on the 26th day of February, 1903, the House declared that contest in favor of Mr. Wagoner, giving him the seat in place of Mr. Butler. Now, it happened that the day fixed by the governor of Missouri for the holding of the special election to fill that vacancy was also the day fixed by law for the holding of the regular election of a Member of Congress to a seat in the Fifty-eighth Congress—this present Congress. Mr. Butler was a third time a candidate, and against him in that election was Mr. Reynolds, the present contestant. Mr. Butler was returned as elected by a majority of 6,618. At the beginning of this Congress his seat was contested by Mr. Reynolds. It now appears that between the regular election for the Fifty-seventh Congress and the date of the regular election for the Fifty-eighth Congress the legislature of Missouri had redistricted the State, so that the district in which Mr. Reynolds, the present contestant, ran against Butler was not identical with the district in which Wagoner ran against him for the Fifty-seventh Congress. Twenty precincts in the original Twelfth Missouri district, constituting territorially more than one-half of the district and being that part of the district in which Mr. Wagoner received a Republican majority, were, in the redistricting, eliminated from the district and ten precincts were added. So you see, Mr. Speaker, that the districts were not identical. Certain precincts, however, were common to both districts. Now, in the first place it is contended that the contestant in this case did not take his testimony within the time provided by the act of Congress, which declares that the contestant may take testimony within forty days, the contestee then for forty days, and the contestant, after that, ten days in rebuttal only. In this case no testimony was taken until the forty-third calendar day, and the testimony taken then was of comparatively no importance. Some testimony upon which the contestant relied was taken as late as the one hundred and tenth day.

Now, the contestant argues that the statute should be so construed as to exclude both Sundays and holidays, and that that being done the greater part of his testimony was taken within forty days. The committee has found itself unable to take that view. We find the true rule of construction to hold that neither Sundays nor holidays are to be excluded from the count unless the last day falls on Sunday, in which case the act may be performed on Monday. In another section of this particular statute regarding notice Sundays are specifically excluded, and generally where Congress has intended that Sundays be excluded it has so declared. In the section allowing forty days for contestants' testimony in chief there is no such provision, and Sundays are therefore not excluded. It is true that the act of Congress is not binding upon this House, which under the Constitution is the sole and absolute judge of the qualifications of its own Members. Nevertheless it has frequently been held that the act of Congress upon this subject constitutes a wise and wholesome rule, which ought not to be departed from without good cause shown or the interest of justice requires. There has been no sufficient cause shown for delay in this case. Counsel in this case were also counsel in the Wagoner contest, which was running at the same time, and were doubtless engaged in taking testimony in that case most of the time. But we think there were other counsel in St. Louis of a sufficient capacity to take such testimony as was taken in this case. This leads to a consideration of the character of the testimony. It is not pretended that the testimony taken directly in this case would of itself establish the contestant's right to a seat. The contestant relies almost entirely upon the depositions of witnesses taken in the Wagoner case, in another contest, for a different Congress and from a different district. These witnesses were not examined in this case. The contestant merely called the notary public before the witnesses in the Wagoner case had testified and proved by him carbon copies of their testimony, which carbon copies he asks us to accept with like effect as if those witnesses had been called and testified in this case. We do not think that such testimony so taken, in the absence of evidence that the witnesses were dead or for any other reason were not compellable to attend and testify, would be accepted in a court of justice. But even if we were to consider all that testimony, we find it seriously defective. In the Wagoner case one great fraud found was that persons unregistered, and therefore unauthorized to vote, did vote, or at least that votes in their names were counted. In this case the contestant has failed to put in evidence the registration lists, and they have not been before your committee. We are therefore utterly unable to determine

what unregistered voters, if any, voted, and whether, if such persons voted, they voted for Reynolds or for Butler.

We find also that Mr. Butler was not given notice that the depositions of the witnesses in the Wagoner case were to be introduced here. In some instances there was not given him, as the statute requires, the names of the notaries public who were to be called as witnesses to testify to the taking of testimony in the Wagoner case. It was by means of these witnesses, whose names were not given to Butler in advance, as the statute requires, that carbon copies of the testimony in the Wagoner case was introduced.

It may be urged, therefore, that Mr. Butler has not had the opportunity which law and justice require to cross-examine the witnesses upon whose testimony the contestant relies in this case. To make my statement as brief as possible, I will, as the committee has done, summarize the whole matter briefly thus: No part of contestant's testimony was taken within the forty days allowed by statute for that purpose, and some of it was taken as late as the one hundred and tenth day after answer filed. No good and sufficient reason was shown for the delay.

The witnesses upon whose testimony contestant relies were not called and examined in this case, but he has introduced carbon copies of their depositions, taken by a different contestant in a former case, concerning a seat in a different Congress and from a different district. The present contestee was contestee also in the earlier case, but did not then have full power of cross-examination of said witnesses touching the present contest.

The contestee was not given the names of the witnesses in the former case whose depositions contestant proposed to introduce in this case, nor of his intention to introduce such testimony, and in some instances was not given in advance, as the statute requires, the names of the witnesses who were called in this case and by whom the depositions of the witnesses in the former case were proved or attempted to be proved.

There is no evidence that all or any of the witnesses carbon copies of whose depositions in the Wagoner case have been introduced in this case are dead or were for any other reason not compellable to attend and testify in this contest.

Neither the original nor any copies of the official registry lists having been furnished, it is impossible to determine what votes were illegal by reason of having been cast by unregistered persons as charged.

In short, Mr. Speaker, while those members of the committee who were Members of the last House feel more than ever convinced of the correctness of the judgment and action of the House in the Wagoner case and also in the Horton case, we do not feel that the fact that Mr. Butler was twice justly unseated in the Fifty-seventh Congress affords to this House a sufficient reason for unseating him in the Fifty-eighth Congress unless a case was made out against him.

When a certificate, regular upon its face, shows a man to have been elected, and he has been sworn in and occupies a seat here, it is incumbent upon the person claiming the seat against him to make out a case. That burden can not be shifted upon either the Elections Committee or the House.

Mr. CRUMPACKER. Will the gentleman permit me to ask him a question?

Mr. OLMSTED. Certainly.

Mr. CRUMPACKER. The customary form of resolution in contested-election cases is to declare that either the contestant or contestee is entitled to a seat. The resolution read by the Clerk in this case seems simply to discharge the committee from further consideration of it. Is the effect of that simply a dismissal of the committee for want of prosecution?

Mr. OLMSTED. The effect of it would be, of course, to simply dismiss the committee from further consideration of the case, and would practically be a dismissal of the contest.

Mr. CRUMPACKER. If there was no evidence in this case showing that the contestant was entitled to a seat, the presumption would be that the contestee's right to the seat was valid, and in view of that why did not the committee report a resolution declaring that the contestee and not the contestant is entitled to a seat?

Mr. OLMSTED. Mr. Speaker, the gentleman from Indiana will understand that we were not able, upon the record before us, to determine fully the merits of this case. We have had some past experience with occurrences in some parts of that election district, and could not close our eyes entirely to the practices which were shown in the Wagoner case to have obtained there. Upon the whole case the entire committee practically concluded that their duties were performed when they recommended a resolution in the form which has been read.

Mr. CRUMPACKER. The resolution means, then, that the committee did not go into the merits of the contest?

Mr. OLMSTED. That is substantially what it means. There was lacking the necessary data to enable us to do so—for instance, the official registry sheets.

Mr. BARTHOLDT. Mr. Speaker, I would like to ask the gentleman a question. Is the report of the committee unanimous in this case?

Mr. OLMSTED. The report, I think I may say, is practically unanimous. If I am not violating the secrets of the committee, I think I may say that there was not more than one voice the other way. Certainly no contrary report has been or will be filed. If there is no one desiring to be heard on the resolution, I ask for its adoption, first asking unanimous consent to insert the full report of the committee in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

The memorial is as follows:

[House Report No. —, Fifty-eighth Congress, third session.]

GEORGE D. REYNOLDS v. JAMES J. BUTLER.

December —, 1904.—Mr. OLMSTED, from the Committee on Elections No. 2, submitted the following report, to accompany H. Res. —:

The Committee on Elections No. 2, to which was referred the contested-election case of George D. Reynolds v. James J. Butler, from the Twelfth Congressional district of Missouri, respectfully submits the following report:

A brief historical statement is essential to a proper understanding of this case. At the regular Congressional election in 1900, James J. Butler was returned as elected to a seat in the Fifty-seventh Congress. His election was contested by William M. Horton. The Committee on Elections No. 1, to which the contest was referred, reported that "fraud so permeated the conduct of the election in a large part of the district as to prevent a full, free, and fair expression of the public desire in respect to the election of a Representative in Congress," and the House, on the 28th of June, 1902, adopted a resolution declaring the seat vacant.

The governor of Missouri thereupon ordered a special election. Mr. Butler was again a candidate and returned as elected to fill the vacancy caused by his own unseating. His opponent in that election was Mr. George C. R. Wagoner, who contested his seat in the second session of the Fifty-seventh Congress, which assembled on the first Monday of December, 1902.

As the time fixed by statute for the taking of testimony would have carried the case beyond the expiration of the term for which Wagoner claimed to have been elected, he presented a memorial to the House, which, on the 11th day of December, 1902, adopted a resolution specifying a certain time within which the contestant might take testimony, a certain time for the contestee, and again a certain time for the contestant in rebuttal, and required the Committee on Elections No. 2 to consider and report upon the case so that it might be disposed of during the life of that Congress. That committee reported that by reason of gross frauds, clearly shown, making it impossible to ascertain the legal votes cast, the returns from certain precincts must, in accordance with the well-established precedent of the House and the rule laid down by courts and learned authors, be entirely rejected, and that Wagoner had been duly elected and was entitled to his seat. Resolutions to that effect were adopted by the House and Wagoner seated February 26, 1903.

November 4, 1902, the day fixed by the governor for holding the special election for filling the vacancy in the Fifty-seventh Congress, was also the day fixed by law for the general election, at which there was to be chosen a Representative in this the Fifty-eighth Congress. Mr. Butler was a candidate for that seat also, and was opposed by Mr. George D. Reynolds, the present contestant.

The Missouri legislature had by act of March 16, 1901, redistricted the State, so that the district in which Reynolds competed with Butler for a seat in the Fifty-eighth Congress was not identical with the district in which Wagoner, upon the same day, competed with Butler for a seat in the Fifty-seventh Congress. Although the district, which is within the city of St. Louis, is still known as the Twelfth, at least one-half of it, territorially speaking (and being the one-half in which Wagoner received his majority), had been cut off from the district, while some new territory had been added. To be explicit, precincts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, and 13 of the Twenty-fourth Ward; precincts 1 and 2 of the Twenty-eighth Ward; precinct 11 of the Twelfth Ward; precinct 12 of the Seventh Ward; precinct 1 of the Twentieth Ward; and precincts 1 and 2 of the Twenty-first Ward, which formed part of the district in which Wagoner ran against Butler for a seat in the Fifty-seventh Congress, were not in the district in which Reynolds ran against Butler for a seat in the Fifty-eighth Congress, while precincts 7, 8, 9, 10, 11, 12, and 13 of the Twenty-fifth Ward, and precincts 2, 3, and 4 of the Fifteenth Ward, which never had been in the district in which Wagoner ran against Butler, are in the district in which Reynolds ran against Butler. All of the Fourth, Fifth, Sixth, Thirteenth, Fourteenth, and Twenty-third wards and parts of the Fifteenth, Twenty-second, and Twenty-fifth wards were in both districts.

Differently stated, the old district in which Wagoner ran against Butler for the Fifty-seventh Congress contained twenty election precincts which are not in the present district in which Reynolds ran against Butler for a seat in the Fifty-eighth Congress, and ten precincts in the present district in which Reynolds ran were not in the district in which Wagoner ran.

The returns of the election for the Fifty-eighth Congress showed Butler to have received 15,316 votes and Reynolds 8,698, an apparent majority of 6,618 for Butler, who was sworn in at the beginning of the present Congress and now occupies the seat which Reynolds contests.

In his notice of contest, in more or less general terms, he charges frauds of various kinds, and in the ninth paragraph thereof specifically charges that in sundry precincts, therein set forth, there were frauds so gross and extensive that it was impossible to ascertain the actual and legal votes, and that the returns should therefore be rejected altogether.

The contestant was not diligent in prosecuting his contest. Provision for the taking of testimony in such cases is found in section 107, United States Revised Statutes, which reads thus:

"Time for taking testimony: In all contested-election cases the time allowed for taking testimony shall be ninety days, and the testimony shall be taken in the following order: The contestant shall take testi-

mony during the first forty days, the returned Member during the succeeding forty days, and the contestant may take testimony in rebuttal only during the remaining ten days of said period."

The act of March 2, 1875, chapter 119, section 2, declares:

"That section 107 of the Revised Statutes of the United States shall be construed as requiring all testimony in cases of contested election to be taken within ninety days from the day on which the answer of the returned Member is served upon the contestant."

In this case the notice of contest was dated December 20, 1902. Mr. Butler's answer was served December 22, 1902. Contestant thereupon served an additional or supplemental notice of contest, to which the contestee made reply December 24. The statute makes no provision for the service of additional grounds of contest, and these amended specifications must be considered, if received at all, as served in the original notice of contest. (McDuffy v. Torpin, Stofer, 355; McCrary on Elections, 448.) Certainly after answer filed a supplemental notice of contest can not be held to extend the time for the taking of testimony. Contestee's answer having been served December 22, 1902, the forty calendar days expired with the 31st day of January, 1903. Within those forty days contestant called no witnesses and took no testimony whatever. On the forty-second day (February 2) contestant proposing to take testimony, and having himself been sworn, counsel for contestee objected to the taking of any testimony whatever, and in his statement of objections said, inter alia:

"George D. Reynolds has slept on his rights, and the forty days during which Congress says testimony for contestee shall be taken have expired without his having taken any testimony whatsoever, and George D. Reynolds has, to all intents and purposes, abandoned his contest, and can not now revive the same in the time allotted to contestee in which to take testimony had he obeyed the mandatory provision of the law."

This and other objections were spread at length upon the record. Contestant was then himself examined, but testified simply to the service of notice of contest and of the additional grounds of contest. Two other witnesses testified also as to the service of these papers, and the papers themselves were put in evidence as exhibits, whereupon the further taking of testimony was adjourned until February 3. This was the 41st calendar day after the service of the answer to the additional notice of contest and the 43d after the service of the answer to the original notice. One witness was examined and an adjournment had to February 4 (the 44th day). Two witnesses were then examined and an adjournment had to February 5 (the 45th day). Depositions were also taken on the 6th, 7th, 9th, 10th, and 11th of February (the 46th, 47th, 49th, 50th, and 51st days). No testimony was at any time taken by contestee and none by contestant between February 11 and March 31. Upon the latter date (the 100th day) certain testimony was taken by contestant. Also upon the 1st, 2d, 3d, 6th, 7th, and 10th of April (the 101st, 102d, 103d, 106th, 107th, and 110th days).

Contestant insists that in computing the time under the statute Sundays and legal holidays must be excluded so as to leave 40 working days. It has never been so considered and we can not take that view. Section 108 of the Revised Statutes, being part of the same act, referring to notice of intention to take depositions, requires that it "shall be served so as to allow the opposite party sufficient time by the usual route of travel to attend and one day for preparation, exclusive of Sundays and the day of service." The exclusion of Sundays in one section and not in the other is very significant. In section 1007 it is provided that in order to make a writ of error a supercedas it must be served upon the adverse party "within sixty days, Sundays exclusive," and generally where Congress has intended to exclude Sundays it has so stated.

"Sundays are included in computations of time, except when the time is limited to twenty-four hours, in which case the following day is allowed." (Endlich on Statutes, sec. 393.)

"In the computation of statute time an intervening Sunday is to be counted, unless expressly excluded by the statute. (King v. Dowdall, 2 Sand., 131, N. Y.)"

Mr. Justice Brown, in *Monroe Cattle Co. v. Becker* (147 U. S., 55), states the general rule to be "that when an act is to be performed within a certain number of days and the last day falls on Sunday the person charged with the performance of the act has the following day to comply with his obligation."

Subject to that rule we hold that the statute means calendar days. The contestant took no testimony whatever within the time prescribed by the statute, and some upon which he relies was taken many days after the statutory period, even if construed as he desires.

It is quite true that the statute providing and limiting the time for the taking of testimony is not binding upon this House, which under the Constitution is the only and absolute judge of the qualifications and elections of its Members. But, as has frequently been held, it furnishes a wise and wholesome rule of action and ought not to be departed from except for sufficient cause shown, or where the interests of justice clearly require. It would seem that contestant might have commenced and concluded his testimony in this case within forty days. Certainly he might have commenced. No reason whatever appears upon the record why he could not, or did not, but upon the argument before your committee it was stated that counsel for the present contestant were also counsel for Wagoner in his contest, and that some or all of them were engaged upon that case most of the time. There must, however, have been other counsel in St. Louis quite capable of taking such testimony as was taken in this case.

THE CHARACTER OF THE TESTIMONY.

The first witness called who testified to anything more than the service of papers was William D. Moore, called February 3, 1903 (the forty-third calendar day after filing of answer). We quote from his testimony as follows:

"Q. What is your name?—A. William D. Moore.

"Q. You are a notary public, Mr. Moore?—A. Yes, sir.

"Did you, as notary public, take any testimony in the contested election case of George C. R. Wagoner against James J. Butler for the office of Representative in Congress for the short term of the Twelfth Congressional district of Missouri?—A. Yes, sir.

"Q. Where was that testimony taken?—A. At the city hall in the city of St. Louis, Mo.

"Q. And in what office?—A. Office of the election commissioners.

"Q. Between about what dates did you take this testimony, Mr. Moore?—A. Between December 29, 1902, and January 3, 1903.

"Q. Have you now in your possession the original deposition taken at the time referred to and which you intend to certify to the Clerk of the House of Representatives?—A. Yes, sir.

"Q. Have you also in your possession a carbon copy of all the depo-

sitions which you took at the time and place referred to?—A. Yes, sir.
 "Q. I will ask you if you have examined this carbon copy to-day?—A. Yes, sir.

"Q. Are the pages of the carbon copy, which you say you have examined, in the same order in which the pages of the deposition are arranged?—A. The pages are just the same. All the first pages of each precinct are arranged in the same order as the original and numbered the same.

"Q. You have spoken of having made a comparison of the carbon copy of the depositions with the original. I will ask you when you did that?—A. It has been done to-day; this afternoon.

"Q. Will you produce the carbon copy to which you have referred, Mr. Moore?—A. Yes, sir; I have it here.

"(Counsel for contestant now offers in this case the carbon copy of the deposition taken by the witness and identified and examined by him and asks the notary to mark the same 'Contestant's Exhibit No. 6.')

"No cross-examination."

Mr. Moore was not asked, and did not state, the names of the witnesses whose depositions he took in the Wagoner case, but reference to "Contestant's Exhibit No. 6" shows, as nearly as we can make out, that such witnesses were John A. Sloan, Robert A. Jordan, George W. Rinkle, Louis P. Masterson, Michael Callahan, and John A. Piper.

Mr. Moore was the only witness called that day. February 4, 1903 (the forty-fourth day), James D. Halter was called. He testified that he was a notary public and had taken testimony "in the contested election case of George C. R. Wagoner against James J. Butler for the short term from the Twelfth Congressional district of Missouri" at 417 Pine street. His testimony concludes as follows:

"Q. Can you state the names of the witnesses whose depositions you took at 417 Pine street?—A. Yes; these are the witnesses: Martin Delaney, 3009 Pine street; George P. Kolb, 317 South Twenty-third street; Joseph L. Shuler, 1030 Clark avenue; George Dabney, 1337 Gay street; C. E. Udell, 4009 Westminster place; Peter Repscher, 2147 Adams street; John Stack, 2110 Adams street; I. H. Bradbury, 2124 Adams street; George Yeager, 2751 Manchester avenue; William Taylor, 2911 Lawton avenue; Walter W. Trice, 622 North Beaumont street; Robert Walker, Hotel Barnum; George Popp, 110 Spruce street; Joe Eismenger, 214 Valentine street; Herman Knecht, 318 South Fourth street; Adolph F. Cougot, 2093 South Seventh street; John F. Koshowsky, 704 Market street; Pat Eerner, 638 South Seventh street; Henry Horchler, 1326 Clark avenue; Henry Green, 1319 Linden street; Oscar Herzog, 1400 Morgan street; Green Moore, 1521 Lucas (rear); William Carson, 1310 Gay street; Louis Alewell, 2002 Washington street; John B. Owen, 1206 Morrison avenue; Lee H. Vollnecke, 2653 Olive street; Sigmund L. Kramer, 1618 Market street; Mrs. Margaret Campbell, 2644 Olive street; William Hahn, jr., 114 South Third street; M. L. Turner, 2806 Locust street; Guy W. Williams, 2140 Eugenia street; John Gentner, 1238 Eugenia street; Daniel D. Carroll, 1326 Morgan street; E. S. Everson, 2846 Lawton avenue; Herman Demuth, 202 South Second street; P. M. Cunningham, Tenth and Locust streets; Arthur Kiburz, 611 South Second street; Fritz Schreier, 509 South Second street; Alex. Wells, 309 Spruce street; Santo Dani, 320 Walnut street; Otto Weiss, 824 Walnut street; Moses Sargent, 706 North Fourteenth street; E. Heyd, 411 North Fourteenth street; Henry Thomas, 1317 Morgan street; Tony Barnes, 1324 Gay street; Joseph Farrel, 1521 Lucas (rear); Ben McMillan, 721 North Fourteenth street; John H. Bell, 1520 Morgan street; Louis J. Bischoff, 1320 Spruce street; William Heitman, 110 Spruce street; William R. Faulkner, mounted police station.

"Q. Did you have a carbon copy of all the testimony of all of these witnesses whose names and addresses you have given us made?—A. Yes.

"Q. Have you that carbon copy here present?—A. Yes, sir.

"Q. Have you carefully compared the carbon copy of the testimony of these witnesses with the original?—A. Yes, sir.

"Q. Did you find on your examination that the carbon copies were true copies of the original in every particular?—A. Yes, sir.

"Q. Have you the carbon copy about which you have just testified in your possession?—A. Yes, sir; here it is.

"(Here witness produces a copy of the testimony of the witnesses who testified before him in the case of George C. R. Wagoner against James J. Butler, pending before the Fifty-seventh Congress, and whose names and addresses are heretofore set out in this deposition.)

"Mr. RICHY. On behalf of the contestant I now offer this true copy, as produced by this witness on behalf of Mr. George D. Reynolds, the contestant, and ask that the same be marked 'Contestant's Exhibit No. 8, of February 4, 1903.'

"No cross-examination."

Mr. Butler was not present, either in person or by counsel, at this hearing, having previously given notice that he would not attend any hearing, as he protested against the right of contestant to take any testimony at all after the expiration of forty calendar days. Neither of the witnesses Moore and Halter were examined at all touching the case of Reynolds against Butler. They were called for the single purpose of introducing, in that way, the testimony of witnesses examined before them, as notaries public, in the Wagoner case. No notice was given Butler that the testimony of the witnesses in the Wagoner case was thus to be introduced, and the notice served upon him of contestant's intention to take testimony did not include even the names of Moore and Halter. Several other notaries before whom depositions were taken in the Wagoner case were also called, and in like manner there were introduced carbon copies of the depositions taken before them in the Wagoner case. The testimony of twenty-one witnesses in the Wagoner case was thus introduced April 10, 1903 (the one hundred and tenth day). These witnesses were examined in the Wagoner case between December 19 and December 27, 1902, and the only reason given for delay in introducing copies of their depositions in the Reynolds case was that the notary would not surrender carbon copies until his fees were paid.

It is not pretended that the testimony taken directly in this contest makes out a case against the sitting Member, but contestant relies upon the testimony taken in the Wagoner case, and proved or attempted to be proved, by the notaries public in the manner above indicated. For the competency of this evidence his counsel rely upon Greenleaf on Evidence, section 553, which they cite in their brief as follows:

"In regard to the admissibility of a former judgment in evidence, it is generally necessary that there be a perfect mutuality between the parties, neither being concluded unless both are alike bound. But with respect to depositions, though this rule is admitted in its general principle, yet it is applied with more latitude of discretion; and complete mutuality is not required. It is generally deemed sufficient, if the matters in issue were the same in both cases, and the party against whom the deposition is offered had full power to cross-examine the witness."

That is not a fair citation, as it omits more than half of the section, particularly the following:

"If the power of cross-examination was more limited in the former suit in regard to the matters in controversy in the latter, it would seem that the testimony ought to be excluded."

Furthermore, it omits the fact, manifest from a reading of the entire section, and particularly in connection with section 163, that the learned author referred, in any event, only to cases in which the witnesses were dead or for some other reason not compellable to testify in person.

The matter in issue in the Wagoner case was the right to a seat in the Fifty-seventh Congress from the old district. The matter in issue in this controversy is the right to a seat in the Fifty-eighth Congress from the new district. The matters in issue are therefore not identical. The parties are not the same, except that Mr. Butler, the contestee here, was also the contestee in the Wagoner case. He certainly did not, in the Wagoner case, have "full power to cross-examine" the witnesses touching the Reynolds case. His "power of cross-examination" was more limited in the former suit, in regard to the matters in controversy in the latter. Indeed, in the Wagoner case, which related solely to a seat in the Fifty-seventh Congress, he had no opportunity to cross-examine witnesses at all concerning his controversy with Reynolds for a seat in the Fifty-eighth. No questions concerning the Reynolds contest were asked in direct examination of the witnesses, and cross-examination concerning it would not have been in order. As a matter of fact, he did not cross-examine them at all in the Wagoner case. Doubtless he had his own reasons for not doing so. He may have thought it useless to make much of a fight in that district, and yet he might have been very anxious to cross-examine them touching the present contest, involving an election from a changed district more favorable to his party because of the elimination of sundry Republican precincts which had been in the old district. He was certainly under no obligation to cross-examine them in the Wagoner case, and the fact that he did not is no bar to his right to cross-examine them in this entirely different controversy.

It is asserted in contestant's brief that the elections were held by the same officers and by the use of the same official ballots, but he has failed to show even that fact by any evidence offered in the case. It is not claimed that the witnesses whose testimony in the Wagoner case contestant seeks to introduce are dead or were for any other reason beyond the reach of service of subpoena. So far as we are advised their presence could readily have been secured, and failure to call them was based purely on reasons of convenience and expense. Under such circumstances, copies of their depositions would not be admissible in a court of justice.

But there is a further objection. Section 108 of the Revised Statutes requires that the party desiring to take depositions in a contested election case "shall give the opposite party notice, in writing, of the time and place when and where the same will be taken, of the names of the witnesses to be examined and their places of residence." Mr. Butler was not given the names of the witnesses whose testimony in the Wagoner case it was proposed to introduce in this contest, and in at least one important instance the notice to him did not even give the names of the notaries public who were called as witnesses in this contest for the purpose of proving the depositions of numerous witnesses in the Wagoner case.

But even if all the testimony offered by contestant were to be received and given its full effect it is deficient in at least one very important particular. In the notice of contest it is alleged that over 10,000 illegal ballots were received and counted by the judges of election, and that "the parties so voting were not legally registered voters and were not entitled to vote at said election." We find upon examination of the published report of the committee which passed upon the Wagoner case in the Fifty-seventh Congress that the result in that case was largely based upon the reception of illegal ballots from persons whose names did not appear upon the official printed registry sheets. We find in the record in this pending controversy, commencing at page 666, a paper entitled "Contestant's Exhibit No. 14 of February 4, 1903—James D. Halter, notary public, city of St. Louis, Mo." This exhibit purports to contain the depositions of ninety witnesses examined before J. T. Sanders, notary public, in the Wagoner case between December 13, 1902, and January 3, 1903.

It does not appear from the record that Sanders, before whom the depositions were taken, was called as a witness, or that Halter, as notary public, took any depositions at all in this, the Reynolds case. We are therefore at a loss to account for the appearance in this record of these ninety depositions. We were inclined to think that Sanders, the notary public before whom depositions were taken in the Wagoner case, was called as a witness in this case before Halter, acting as notary public, and handed in carbon copies of the depositions of these witnesses, and that the contestant, while sending Exhibit No. 14, failed to return the deposition of Sanders showing the offering of the exhibit. A letter from contestant's counsel shows this to have been the case.

However that may be, we find among these ninety depositions, constituting the so-called Exhibit No. 14, that of Louis P. Aloe, who, in the Wagoner case, produced a book, concerning which he said:

"This is the complete printed register of the qualified voters of the Twelfth Congressional district for the election of November 4 and thereafter, 1902—that is, the official list."

It appears from the testimony that that book was marked "Exhibit C" in the Wagoner case. It was not printed with the testimony in that case. But it was undoubtedly submitted to and used by the committee in preparing its report. It was not, however, sent by contestant Reynolds to the Clerk of the House with the testimony in this case, nor produced before your committee, and therefore, although we find in the testimony what purport to be lists of the names of the persons who voted, showing also whether they voted for Butler or for Reynolds, we are utterly unable to tell who of said voters were registered and who were not, or to what extent such persons as were unregistered voted, either for Butler or for Reynolds.

Our conclusions are more succinctly stated in the following:

SUMMARY.

1. No part of contestant's testimony as taken within the forty days allowed by statute for that purpose, and some of it was taken as late as the 110th day after answer filed. No good and sufficient reason has been shown for the delay.

2. The witnesses upon whose testimony contestant relies were not called and examined in this case, but he has introduced carbon copies of their depositions, taken by a different contestant in a former case, concerning a seat in a different Congress, and from a different district. The present contestee was contestee also in the earlier case, but did not then have full power of cross-examination of said witnesses touching the present contest.

3. The contestee was not given the names of the witnesses in the

former case whose depositions contestant proposed to introduce in this case, nor of his intention to introduce such testimony, and in some instances was not given in advance, as the statute requires, the names of the witnesses who were called in this case and by whom the depositions of the witnesses in the former case were proved or attempted to be proved.

4. There is no evidence that all or any of the witnesses, carbon copies of whose depositions in the Wagoner case have been introduced in this case, are dead or were for any other reason not compellable to attend and testify in this contest.

5. Neither the original, nor any copies of the official registry lists having been furnished, it is impossible to determine what votes were illegal by reason of having been cast by unregistered persons as charged.

Upon the whole case your committee recommends the adoption of the following resolution, viz:

"Resolved, That Committee on Elections No. 2 shall be, and is hereby, discharged from further consideration of the contested-election case of George D. Reynolds v. James J. Butler, from the Twelfth Congressional district of Missouri."

Mr. ROBINSON of Indiana. Will the gentleman from Pennsylvania [Mr. OLMSTED] yield me two or three minutes of time?

Mr. OLMSTED. I yield to the gentleman from Indiana [Mr. ROBINSON] for five minutes.

Mr. ROBINSON of Indiana. Mr. Speaker, my service of six years till this Congress on Elections Committee No. 2, in charge of these cases against James J. Butler, of the Twelfth district of Missouri, gave me an intimate knowledge of the former cases and considerable knowledge of the one now reported to the House.

I take pleasure in congratulating that committee, acting under its able chairman, in the unanimity in this decision and in its former record of judicial and unanimous judgment that characterized its action during my term of membership thereon.

With the possible exception of one decision against this contestee in the former Congress, its action has met the unanimous indorsement of this House. A record of years of fairness and impartiality such as this should no be passed over at this time without a deserved compliment.

Mr. Butler, it so happens, was three times elected within two years, and by a new apportionment in two different districts. He was twice unseated, the last time in the Fifty-seventh Congress in the most bitter contest on the floor of the House for weeks, and until this action by the committee has had a third contest pending. These circumstances justly entitle these proceedings to be among the causes célèbres, no more by reason of the troubles and annoyances that the Representative of the Twelfth Congressional district of Missouri has incurred, but as the only case in eight years of active work that Election Committee No 2 has divided in opinion.

I congratulate the chairman, Mr. OLMSTED of Pennsylvania, and the membership of that committee on these many years of good work.

Mr. OLMSTED. While the committee is willing to accept congratulations as far as they are entitled to the same, particularly when coming from one, himself so fair as, during six years of service, the gentleman from Indiana [Mr. ROBINSON] proved himself, we by no means concede the correctness of the statement of the gentleman that Mr. Butler was three times elected. It is true that he has been three times returned as elected, but we are well satisfied that he was not elected to the Fifty-seventh Congress at all, and there may be some reasonable doubt as to his having been elected to this Congress. But the contrary has not been proved. He holds the certificate, and the case against him has not been clearly proved. Therefore he will retain his seat if this resolution is adopted.

I believe the contestant, Mr. Reynolds, to be a very estimable gentleman. He formerly resided in Pennsylvania, where he still has many friends who are also friends of mine. He has important friends in many parts of the country, as well as in St. Louis, who will regret that he is not to be seated. Personally, I should like him for a colleague and should be glad to vote to that end could I conscientiously say that his right to the seat has been established—

Mr. THAYER. I would like to ask what may be considered an informal question of the gentleman from Pennsylvania. I have sat here, Mr. Speaker, for several sessions and have seen many parties contesting the seats of those who were returned as Members of this House; and I have noticed, or have believed at least, that in many instances those contests were made chiefly for the purpose of annoying those who were returned as Members, and for the money that the contestant got out of the Treasury to support his contention. I believe that it would be well if we should make a rule here and now that no man who contests the election of a man who is properly and legally returned as a Member of this House, and who is unable to substantiate his contest, should be paid his or any part of his expenses. It seems to me, Mr. Speaker, that this matter of contesting a Member's seat is very like a contest in court. If a plaintiff there thinks

he has an action against a defendant, he brings a suit, summons his witnesses, employs his attorney, incurs his expenses, and if he is not successful he must defray those expenses. If he is successful the defendant defrays them in part. I see no reason why we here should favor and give encouragement to people who were not returned by the proper officers as Members of this House, to contest seats of those who are returned as Members on the ground that we will defray the expenses of the contest. These tables will turn sooner or later. It looks now as though it would be somewhat later. [Laughter.] But the tide will turn, and then the shoe will be on the other foot. I do not believe in encouraging any man to come here and contest the seat of a man who is lawfully and properly returned by the people and the officers who have that matter in charge. As I say, I believe it is done in many instances chiefly for the money that they can get out of it and the little notoriety that attaches. And while I do not know that this is the proper time or occasion to bring up this matter, if it can be brought up I want to record my vote as against allowing any contestant one cent for any contest of the seat of a Member who is properly returned if the contestant fails in his contest.

Mr. CLAYTON. Unless he makes his contest good.

Mr. OLMSTED. Mr. Speaker, this is a matter which does not arise here. It may be considered by the House at the proper time, but it is not within the jurisdiction of the committee which made this report. I will state, however, that there is no law nor practice now of allowing all expenses. Neither party can, under existing law, receive more than \$2,000, and there is hardly an important contested-election case in which a large amount of testimony is taken in which the expenses of the parties do not largely exceed that sum.

Mr. THAYER. I should like to ask the gentleman what reason or sense is there in allowing a man who comes here with no case to get even the \$2,000?

Mr. OLMSTED. I will say to the gentleman from Massachusetts that there was in this case a prima facie ground of contest. It is within the power of the House, and perhaps of the Committee on Appropriations or the Elections Committee, in any case where a contest is clearly a wanton and frivolous one, to deny all expenses whatever. The gentleman from Mississippi [Mr. WILLIAMS] suggests that, and he is entirely correct. There have been cases in which nothing whatever has been allowed for expenses. I do not, however, desire to be understood as suggesting that this is that kind of a case.

Mr. THAYER. How can you get at the matter, I should like to know?

Mr. OLMSTED. Whenever an appropriation bill comes up carrying an item of this character it is quite within the power of the gentleman from Massachusetts, or any other Member, to fully question the Appropriations Committee or the Elections Committee before which the case was heard as to the character of the contest, and to determine whether or not in that particular case any expenses at all should be allowed, or if any, then what amount.

Mr. BOWIE. I want to state, for the benefit of the gentleman from Massachusetts, that Elections Committee No. 1 has in at least one case within my knowledge held that a contest was simulated, and therefore refused to recommend the allowance of expenses to the contestant, and they were not allowed; and I think that any elections committee would refuse to recommend the allowance of expenses where the contest was clearly simulated or fraudulent. It is within the power of the Elections Committee to recommend to the Appropriations Committee the allowance of these fees up to \$2,000, or to recommend their disallowance. That is all I wanted to say.

Mr. OLMSTED. I think that is the fact. The gentleman is entirely correct.

Mr. BOWIE. I know it has been done in one case.

Mr. OLMSTED. I so understand it. I will call for a vote, Mr. Speaker, if there are no further remarks.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

On motion of Mr. OLMSTED, a motion to reconsider the last vote was laid on the table.

BRIDGE ACROSS THE OUACHITA RIVER, ARKANSAS.

Mr. WALLACE. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 15317) to build a bridge across the Ouachita River, Arkansas.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read the title of the bill.

The SPEAKER. This bill is upon the House Calendar. The

gentleman from Arkansas asks unanimous consent for its present consideration. Is there objection?

There was no objection.

The SPEAKER. The bill is amended by substitute. If there be no objection, the Clerk will report the substitute.

The Clerk reported the substitute. It proposes that the Interurban Transit Company, a corporation organized and existing under and by virtue of the laws of the State of Arkansas, be, and it is hereby, authorized to construct and maintain a drawbridge across the Ouachita River, in the State of Arkansas, at or near Camden, Ark., at a point which may hereafter be selected by said Interurban Transit Company for crossing said river with its line of railway and agreed upon by the Secretary of War. Said bridge shall be constructed to provide for the passage of electric railway cars; and all street railroad companies desiring the use of the bridge shall have equal privileges in the passage of trains or cars over the same and over the approaches thereto, upon payment of a reasonable compensation for such use; and in case of disagreement in regard to the terms of such use, or the rates to be paid, the matter at issue shall be decided by the Secretary of War.

The SPEAKER. The Chair calls the attention of the gentleman from Arkansas to the fact that in line 17, page 5, there seems to be a misprint. The word "constructed" should be stricken out and the word "construed" inserted.

Mr. WALLACE. I move, Mr. Speaker, that the bill be amended in that respect.

The SPEAKER. If there is no objection, the bill will be so amended. [After a pause.] The Chair hears none. The question now is on agreeing to the substitute as amended.

The question was taken; and the substitute was agreed to.

The bill was ordered to be engrossed and read a third time; and it was accordingly read the third time, and passed.

On motion of Mr. WALLACE, a motion to reconsider the last vote was laid on the table.

ORDER OF BUSINESS.

Mr. HILL of Connecticut. Mr. Speaker, I move that the House now resolve itself into Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 4831) to improve currency conditions.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I desire to be recognized a moment in order to make a statement to the House. The gentleman from Georgia [Mr. BARTLETT], who is the author of the minority bill in this case, and who has charge of the time in opposition to the bill, is, as I am informed, sick and almost unable to attend. He might be forced to attend by the debate, but the debate went over yesterday, as I am informed, at the request of the gentleman from Connecticut [Mr. HILL], who had a business engagement. I think that the debate ought to go over to-day because of the gentleman from Georgia's illness and indisposition.

We have telephoned to him that it looked as if the debate would not go over and that he must come up if he can. The gentleman from Georgia [Mr. HARDWICK] just now informs me that he has received a reply to the message and that the gentleman from Georgia [Mr. BARTLETT] says that he is too sick to come up under any circumstances. I do not know who wants to talk on the bill one way or the other. I can not take his place, and besides, if I could, it is as much a part of a man's duty in control of one side or the other of a debate on a bill to hear what takes place on the other side, to listen to the arguments, in order that he may reply to them, as it is to make his own argument.

I ask unanimous consent that the question may go over. Now, Mr. Speaker, one more word. It will involve no peculiar difficulty, because the order of the House is already such that the measure is tailed onto the regular and privileged business of the House. I ask unanimous consent that the matter may go over until the gentleman from Georgia can be in the House.

The SPEAKER. Pending the motion that the House go into Committee of the Whole House on the state of the Union, the gentleman from Mississippi asks unanimous consent that the consideration of this bill may go over until another day.

Mr. HILL of Connecticut. Mr. Speaker, I regret exceedingly that I shall have to object to unanimous consent. I do not think there is any trouble about making the arrangement satisfactory to both sides. The appropriation bills are likely to come on pretty rapidly after this week. This matter ought to be disposed of, and general debate will take no more time to-day than it will to-morrow. I understand that the gentleman from Georgia [Mr. BARTLETT] is now on his way here.

Mr. WILLIAMS of Mississippi. No; the gentleman from Georgia is not on his way here. We have just received a message that he is too ill to come to the House.

Mr. HILL of Connecticut. I had a full and complete under-

standing with the gentleman from Georgia that the bill should come up to-day, and I traveled all last night myself in order to be here. Now, the suggestion I have to offer to the gentleman is that we go on with the general debate to-day. Tomorrow is claims day, and if it goes over to-day, it will go over to-morrow, and kind Providence only knows what will come up next Monday. This bill may lose its absolute right of way by being prevented from consideration by appropriation bills and numerous other questions of a privileged character.

It seems to me, Mr. Speaker, the wisest thing to do is to go on with the general debate now, with the understanding that if the time is not fully occupied the rest of the afternoon in general debate we will then adjourn and let the general debate go over until to-morrow, so that the gentleman from Georgia [Mr. BARTLETT] will not have his time taken away from him at all.

Mr. WILLIAMS of Mississippi. It is true there was an understanding between the gentleman from Georgia and the gentleman from Connecticut. It is also true, as I understand, that there was an understanding prior to that that the matter should come up yesterday.

Mr. HILL of Connecticut. Oh, no; not at all.

Mr. WILLIAMS of Mississippi. That was my understanding, in order to convenience the gentleman from Connecticut.

Mr. HILL of Connecticut. Nothing of the kind, Mr. Speaker.

Mr. WILLIAMS of Mississippi. Mr. Speaker, the gentleman will remember that it went over and was subject to come up yesterday. That is what I mean. Subsequently was there not an agreement between the gentleman from Connecticut [Mr. HILL] and the gentleman from Georgia [Mr. BARTLETT] that it should not come up yesterday, because the gentleman from Connecticut had a business trip that he wished to make?

Mr. HILL of Connecticut. Oh, not at all.

Mr. WILLIAMS of Mississippi. Now, Mr. Speaker, I want to add this remark only, that it is just as important for the man in charge of the opposition of a bill or in charge of the bill itself to be able to hear, in order to reply to what is said upon the other side, as it is to be able to be present.

Mr. PAYNE. Mr. Speaker, I call for the regular order.

The SPEAKER. The question is on the motion of the gentleman from Connecticut—

Mr. WILLIAMS of Mississippi. Mr. Speaker, I desire to move a substitute.

The SPEAKER. The Chair will say to the gentleman from Mississippi, as the Chair understands it, the practice is, under the rules, if the gentleman desires to raise the question of consideration, or its equivalent, to antagonize the motion that the House do resolve itself into Committee of the Whole.

Mr. WILLIAMS of Mississippi. I understand that, Mr. Speaker.

The SPEAKER. And if the House refuse to so do, then the gentleman gains his point.

Mr. WILLIAMS of Mississippi. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. WILLIAMS of Mississippi. Unless I am forced to do so I do not desire to be put in that attitude. Would it be in order to make a motion, as a substitute for the motion of the gentleman from Connecticut, that the bill do go over? And if so, I would rather make that than to raise the question of consideration. I have no objection to its consideration except to-day.

The SPEAKER. The Chair desires to state to the gentleman that in the opinion of the Chair the gentleman's motion would not be in order, because it can not be debated until it is before the House and until consideration of the bill begins.

Mr. WILLIAMS of Mississippi. Then, Mr. Speaker, at this point I shall raise the question of consideration.

The SPEAKER. The gentleman raises that question by antagonizing the motion.

Mr. PADGETT rose.

The SPEAKER. For what purpose does the gentleman rise?

Mr. PADGETT. Mr. Speaker, I desire, as a member of the committee, to join in the request of the gentleman from Mississippi [Mr. WILLIAMS].

Mr. PAYNE. Mr. Speaker, I think we better have the regular order.

The SPEAKER. The regular order has been demanded, objection being made to further debate while the gentleman from Mississippi had the floor. The question is on the motion of the gentleman from Connecticut that the House do resolve itself into the Committee of the Whole House on the state of the Union.

The question was taken; and on a division (demanded by Mr. HILL of Connecticut) there were—ayes 111, noes 115.

Mr. HILL of Connecticut. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 132, nays 131, answered "present" 8, not voting 115, as follows:

YEAS—132.

Acheson	Davis, Minn.	Kinkaid	Payne
Adams, Pa.	Douglas	Knapp	Perkins
Adams, Wis.	Dovener	Knopf	Porter
Allen	Dresser	Knowland	Prince
Bartholdt	Driscoll	Kyle	Reeder
Bates	Dunwell	Lacey	Roberts
Bede	Dwight	Lafean	Scott
Beldler	Esch	Landis, Frederick	Smith, Ill.
Bingham	Foss	Lawrence	Smith, Iowa
Bishop	Foster, Vt.	Lilley	Smith, Pa.
Boutell	Fuller	Littauer	Smith, Samuel W.
Bowersock	Gaines, W. Va.	Littlefield	Smith, Wm. Alden
Bradley	Gardner, Mich.	Longworth	Southard
Brick	Gardner, N. J.	Loud	Southwick
Brown, Pa.	Gillet, N. Y.	Loudenslager	Spalding
Brown, Wis.	Gillet, Cal.	Lovering	Sperry
Brownlow	Gillet, Mass.	McCall	Stafford
Burke	Graft	McCleary, Minn.	Steenerson
Burkett	Greene	McCreary, Pa.	Sterling
Butler, Pa.	Hamilton	McLachlan	Stevens, Minn.
Campbell	Hedge	Mahon	Sulloway
Capron	Henry, Conn.	Marshall	Tawney
Conner	Hermann	Miller	Thomas, Ohio
Cooper, Pa.	Hildebrandt	Minor	Tirrell
Cooper, Wis.	Hill, Conn.	Mondell	Townsend
Cousins	Hinshaw	Moon, Pa.	Volstead
Crumpacker	Holliday	Morrell	Vreeland
Currier	Howell, N. J.	Murdock	Wanger
Curtis	Hunter	Needham	Wiley, N. J.
Cushman	Jackson, Md.	Olmsted	Wilson, Ill.
Dalzell	Jones, Wash.	Otjen	Woodyard
Daniels	Kennedy	Overstreet	Wright
Darragh	Ketcham	Palmer	The Speaker

NAYS—131.

Adamson	Gillespie	Lever	Russell
Baker	Glass	Lewis	Ryan
Bankhead	Goebel	Lind	Scarborough
Bassett	Gooch	Lindsay	Shackleford
Beall, Tex.	Goulden	Little	Sheppard
Beil, Cal.	Gregg	Livingston	Sherley
Benton	Griggs	Lloyd	Shober
Bonyuge	Gudger	Lucking	Sims
Bowers	Hamlin	McDermott	Slayden
Bowie	Hardwick	McLain	Smith, Ky.
Breazeale	Harrison	Macon	Smith, Tex.
Brundidge	Hay	Maddox	Snapp
Burgess	Heffin	Mann	Snook
Burleson	Hepburn	Maynard	Sparkman
Burnett	Hitchcock	Miers, Ind.	Splight
Byrd	Hogg	Moon, Tenn.	Stephens, Tex.
Caldwell	Hopkins	Norris	Sullivan, Mass.
Candler	Houston	Padgett	Talbott
Cassingham	Hughes, N. J.	Page	Thomas, Iowa
Clayton	Humphreys, Miss.	Patterson, N. C.	Thomas, N. C.
Cowherd	Hunt	Pierce	Trimble
Croft	James	Pinckney	Underwood
Davey, La.	Johnson	Pou	Van Duzer
Denny	Jones, Va.	Pujo	Wade
Dinsmore	Kehoe	Rainey	Wallace
Dougherty	Kelber	Randell, Tex.	Webb
Field	Kitchin, Claude	Ransdell, La.	Webber
Finley	Kitchin, Wm. W.	Rhea	Weisse
Fitzgerald	Kline	Richardson, Ala.	Williams, Ill.
Fitzpatrick	Lamar, Fla.	Rixey	Williams, Miss.
French	Lamb	Robb	Wynn
Garber	Legare	Robinson, Ark.	Zenor
Garner	Lester	Robinson, Ind.	

ANSWERED "PRESENT"—8.

Clark	Cromer	Goldfogle	Patterson, Pa.
Cockran, N. Y.	Deemer	Meyer, La.	Sherman

NOT VOTING—115.

Alken	Draper	Jenkins	Scudder
Alexander	Emerich	Kluttz	Shiras
Ames	Evans	Lamar, Mo.	Shull
Babcock	Flack	Landis, Chas. B.	Sibley
Badger	Flood	Livernash	Slomp
Bartlett	Fordney	Lorimer	Small
Benny	Foster, Ill.	McAndrews	Smith, N. Y.
Birdsall	Fowler	McCarthy	Southall
Brandeggee	Gaines, Tenn.	McMorran	Stanley
Brantley	Gardner, Mass.	McNary	Sullivan, N. Y.
Brooks	Gibson	Mahoney	Sulzer
Broussard	Gilbert	Marsh	Swanson
Buckman	Granger	Martin	Tate
Burleigh	Griffith	Morgan	Taylor
Burton	Grosvenor	Mudd	Thayer
Butler, Mo.	Haskins	Nevin	Vandiver
Calderhead	Haugen	Otis	Van Voorhis
Cassel	Hearst	Parker	Wachter
Castor	Hemenway	Patterson, Tenn.	Wadsworth
Cochran, Mo.	Henry, Tex.	Pearre	Warner
Connell	Hill, Miss.	Powers, Me.	Warnock
Cooper, Tex.	Hitt	Powers, Mass.	Watson
Crowley	Howard	Reid	Weems
Davidson	Howell, Utah	Richardson, Tenn.	Wiley, Ala.
Davis, Fla.	Huff	Rider	Williamson
Dayton	Hughes, W. Va.	Robertson, La.	Wilson, N. Y.
De Armond	Hull	Rodenberg	Wood
Dickerman	Humphrey, Wash.	Rucker	Young
Dixon	Jackson, Ohio	Ruppert	

So the motion was agreed to.

The Clerk announced the following pairs:

For the vote:

Mr. HUFF with Mr. HENRY of Texas.
Mr. NEVIN with Mr. AIKEN.
Mr. MCCARTHY with Mr. LIVERNASH.
Mr. MCMORRAN with Mr. MCNARY.
Mr. MUDD with Mr. GOLDFOGLE.
Mr. RODENBERG with Mr. BROUSSARD.
Mr. WARNOCK with Mr. THAYER.

For the day:

Mr. BURTON with Mr. TAYLOR.
Mr. ALEXANDER with Mr. BENNY.
Mr. BABCOCK with Mr. RICHARDSON of Tennessee.
Mr. BRANDEGEE with Mr. BARTLETT.
Mr. CALDERHEAD with Mr. CROWLEY.
Mr. CASTOR with Mr. COCHRAN of Missouri.
Mr. DAVIDSON with Mr. GRANGER.
Mr. DIXON with Mr. DAVIS of Florida.
Mr. EVANS with Mr. EMERICH.
Mr. FORDNEY with Mr. FLOOD.
Mr. FOWLER with Mr. FOSTER of Illinois.
Mr. GARDNER of Massachusetts with Mr. DE ARMOND.
Mr. HASKINS with Mr. GAINES of Tennessee.
Mr. HAUGEN with Mr. VANDIVER.
Mr. HEMENWAY with Mr. HEARST.
Mr. HITT with Mr. HOWARD.
Mr. HUGHES of West Virginia with Mr. KLUTTZ.
Mr. HULL with Mr. PATTERSON of Tennessee.
Mr. JENKINS with Mr. SCUDDER.
Mr. MARSH with Mr. ROBERTSON of Louisiana.
Mr. MARTIN with Mr. MAHONEY.
Mr. OTIS with Mr. RIDER.
Mr. POWERS of Maine with Mr. REID.
Mr. POWERS of Massachusetts with Mr. COCKRAN of New York.
Mr. SIBLEY with Mr. STANLEY.
Mr. SMITH of New York with Mr. SMALL.
Mr. WACHTER with Mr. WILSON of New York.
Mr. WADSWORTH with Mr. SULLIVAN of New York.
Mr. WARNER with Mr. WILEY of Alabama.
Mr. WATSON with Mr. SWANSON.
Mr. WILLIAMSON with Mr. SOUTHALL.
After the holidays:
Mr. BURLEIGH with Mr. BRANTLEY.
Until further notice:
Mr. BIRDSALL with Mr. HILL of Mississippi.
Mr. BROOKS with Mr. COOPER of Texas.
Mr. BUCKMAN with Mr. LAMAR of Missouri.
Mr. CASSEL with Mr. GOOCH.
Mr. CONNELL with Mr. BUTLER of Missouri.
Mr. CROMER with Mr. GRIFFITH.
Mr. DRAPER with Mr. RUCKER.
Mr. FLACK with Mr. SULZER.
Mr. GROSVENOR with Mr. CLARK.
Mr. LORIMER with Mr. MCANDREWS.
Mr. PEARRE with Mr. GILBERT.
Mr. VAN VOORHIS with Mr. CASSINGHAM.

For the session:

Mr. DAYTON with Mr. MEYER of Louisiana.
Mr. DEEMER with Mr. SHULL.
Mr. CHARLES B. LANDIS with Mr. TATE.
Mr. PATTERSON of Pennsylvania with Mr. DICKERMAN.
Mr. SHERMAN with Mr. RUPPERT.

The SPEAKER. The Chair will order a recapitulation of the vote.

The Clerk recapitulated the names of those voting.

The SPEAKER. The Clerk will call my name.

The name of the Speaker was called and he voted "aye."

The result of the vote was announced as above recorded.

IMPROVEMENT OF CURRENCY CONDITIONS.

The House accordingly resolved itself into the Committee of the Whole on the state of the Union, Mr. DALZELL in the chair.
The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 4831.

Mr. HILL of Connecticut. Mr. Chairman, I do not wish to be placed in any false light in regard to this vote. My only purpose in making this motion to-day to go into Committee of the Whole to consider this bill was that the general debate might be advanced. I had no thought of closing debate to-day. A number of gentlemen on this side desire to speak to-morrow. I understand that some gentlemen on that side desire to speak; and the only purpose was, not to procure a vote to-day—and it would be impossible in the Committee of the Whole House, as the committee would be forced to go back into the

House—but simply to advance debate as much as possible. Now, having consumed two hours on this side, I will ask if any one on that side—or rather opposed to the bill, for I will not say that side is opposed to the bill, but members on that side who are opposed to the bill—desires to take any time? I would ask the gentleman from Mississippi [Mr. WILLIAMS] if he desires to assign any time in opposition to the bill?

Mr. MADDOX. Why do you not go ahead on that side instead of waiting until to-morrow?

Mr. HILL of Connecticut. In view of the fact that we have consumed two hours on this side and desire to close the debate to-morrow, I think it would hardly be fair for those in favor of the bill to take all the time now and for those opposed to the bill to have the time to-morrow. I trust that the time will be taken alternately, so that we should have the opportunity to close debate on this side to-morrow.

Mr. MADDOX. I do not know of anybody that wants to speak on it; I do not know anything about it. The gentleman from Georgia [Mr. BARTLETT], who has charge of this bill, is sick in bed at the hotel and not able to be here.

Mr. HILL of Connecticut. That does not prevent gentlemen from speaking who desire to speak.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I understand that the gentleman from Connecticut is asking about the time on this side. The gentleman is aware of the fact that the gentleman from Georgia [Mr. BARTLETT], who has the time list, is in bed sick. I know nothing about who wants to speak in opposition to the bill. That was part of the statement made before. I believe the last speech was made in opposition to the bill, and the next one ought to be made upon that side. The gentleman from Connecticut can go on, and perhaps I can find out something about it. I do not know.

Mr. HILL of Connecticut. The gentleman from Mississippi was out of the Hall a moment ago. I have stated that there was no desire at any time to force the bill to a vote, but there are certain gentlemen on this side who desire to discuss the bill to-morrow.

Mr. WILLIAMS of Mississippi. It is not to force the bill to a vote, but there is evidently a desire to run the bill along in the absence of the gentleman in charge of the opposition.

Mr. HILL of Connecticut. I yield ten minutes or as much additional time as he may desire to the gentleman from Pennsylvania [Mr. ADAMS].

Mr. ADAMS of Pennsylvania. Mr. Chairman, we seem to have as much difficulty in getting on with the discussion of this measure as the Committee of Banking and Currency seem to have had in reporting the measure. It is natural that such should be the case in view of the importance of this question and the great divergence of views which exist among those who have carefully studied it, and therefore I can clearly see how these difficulties arise. I congratulate the committee on the bill that they have submitted for the consideration of the House, and I think the whole tenure of its nature is one that will be apt to meet with approval. When we think that this deals with the question upon which the successful running of our Government and business matters depends, then we know that such a measure should be carefully considered. The currency of the country is the means by which all exchanges in trade and commerce are made, and when the measure of value and the means of exchange are not sound and reliable, and founded on a basis which insures not only its perpetuity but its equilibrium, we can readily see the difficulty the committee had before it in framing the bill which they have submitted for our approval.

Mr. Chairman, the currency of our country as existing in bank notes is composed of the following sums: Of the greenbacks there are \$346,000,000; of national-bank notes, \$460,000,000; of silver certificates, \$447,000,000; of gold certificates, \$531,000,000; of Treasury notes, \$11,000,000. These, with the gold coin in circulation, forms the means of exchange and measure of value for all of our commercial transactions. There have been certain provisions which have been passed by Congress from time to time for the regulation of the issuance of this currency, for the amount of its redemption at the time, together with other matters, trying to preserve the equilibrium to which I have referred.

This bill is entitled "A bill to improve currency conditions," and, in my judgment, I think the whole tenor of the bill is, in that direction, on conservative lines and practical in each detail. The first section changes the act of Congress which limited the receipts from internal revenue to be deposited by the Secretary of the Treasury in the designated depositories. In the stirring financial times we have seen within the past few years, when the money market became so stringent that a panic occurred and even worse evils threatened the prosperity of the country, and the Secretary of the Treasury was appealed to to release some of the funds in his keeping, and which belonged to the Government of the United States, he said it was not in his

power so to do, although there were vast sums of ready money locked up in the Treasury vaults, because, owing to the act which stated that the receipts from customs could not be loaned out, he had released all of the money that was in his power to release under the law.

The object of the first clause of this bill is to cure that evil. The necessity for the restriction which was enacted years ago has passed. It was enacted in order that the gold receipts taken under the law from customs should be retained in the Treasury for the preservation of the gold standard and for the safety of the currency that was circulating throughout the land. As I say, this necessity having passed away, it is not considered advisable to have two kinds of currency, so to speak, or, rather, two lots of currency, with restrictions on one and not on the other, when their nature is identical in kind. So this removes that restriction and will give power to the Secretary of the Treasury to deposit, when in his judgment the necessity occurs, the customs receipts as well as the internal-revenue receipts in the designated depositories of the United States, and thus be able to relieve the stringency of the money market and avoid some of the terrible collapses of the near past.

In order to prevent the banks from drawing the circulation too fast, it was limited by law to the amount of \$3,000,000 per month. Experience has shown that this was not a wise provision, because often the banks desire to reduce their circulation at a more rapid rate. This prohibition of the law stood in the way, and accordingly it was limited to that amount. This made the currency larger than there was any necessity for—a condition which always leads to speculation and inflation. It stopped the elasticity of the currency, which is deemed by all the writers on that subject its most important characteristic, in order that the currency can expand and contract according to the business needs of the country.

The second section of this act proposes to remove that restriction of \$3,000,000 a month, and, as this section of the act reads, it would leave the amount unlimited.

That would certainly be a very dangerous thing to do, for it would enable large banking institutions, if they chose, to contract the currency by rapidly reducing their circulation to such an extent that they might affect the money markets, and thereby injure the business prosperity of the country. The gentleman from Connecticut [Mr. HILL] informed us that an amendment was to be made to this section, and that it was to be left in the discretion of the Secretary of the Treasury as to the amount that should be allowed to be withdrawn. I think with that amendment that this section will be sound and desirable to be incorporated into the law relating to our currency. Section 3 provides:

That the Secretary of the Treasury is hereby authorized, without regard to any heretofore prescribed limit of amount of subsidiary silver coinage, and as public necessities may demand from time to time, to recoin standard silver dollars from cash in the general fund in the Treasury into such authorized denominations of subsidiary silver coin as he may deem necessary to meet public requirements.

Mr. Chairman, I have no desire to go into any argument relating to the silver question or the ratio between gold and silver, or any other such question as might be brought into this discussion, for I consider it to be a simple proposition that has nothing to do with the larger and greater question, but that it is a practical suggestion as to how we might use and put into circulation the silver dollars now lying dormant, you might say, in the United States Treasury.

The people as a rule do not like the silver dollar. I know most people feel as I do. If I receive a silver dollar in change I pass it along and let the next man carry it, as quickly as possible, because a paper note is much lighter and more convenient. The silver dollars will be utilized in supplying a demand of the people for smaller subsidiary coinage.

In every part of the country the cry goes up for change. It is a well-known fact that over 95 per cent of the exchanges in the commercial world are made by checks, drafts, and bills. It is only the smaller transactions that are now paid for in coin and in small amounts, and hence the great demand throughout the country for small bills and small change, and when this smaller currency is issued it is absorbed so quickly that the Secretary of the Treasury has exhausted all the amount he is now allowed to coin into subsidiary coin from the silver. This will enable him to supply the demand of the country and at the same time use up these silver dollars. I would say here, Mr. Chairman, that there is one point not touched on in this bill which I regret very much. It is the general opinion of sound financiers that the greenbacks of our country should be retired. I know it is a most difficult problem, I know it is against the popular cry, Why should you pay interest on bonds to retire the greenbacks when we are getting a currency circulation for nothing?

In my judgment the best time to reform all the faults in the currency or in the laws that run contrary to the received opinions of those who have made the best study of this question is in the day of our prosperity. You can not do it in times of depression. Then the people are restless and suffering and they will not listen to any doctrines, as they describe such things to be. I have made some study of the questions of finance and taken a special course thereon, but the more I read and the more I study the more I become convinced that the finances of a nation are very similar to the finances of an individual, and that a nation, like an individual, is never so well off as when out of debt and when there are outstanding few promises to pay and few obligations to meet. The greenback is nothing in the world but a promissory note issued on the credit of the Government of the United States. It is true that the credit of our Government is such that that greenback will be taken by anybody anywhere, who is glad to get it. But times are not always so prosperous. Revenues may not always be so great. We may have conditions similar to those that we had during the civil war, when these notes were issued. All governments, in times of great distress, resort to the issuing of bonds and of fiat money, but it is not considered sound finance, and is never done except under great stress of adverse circumstances. I am sorry that the committee did not see a way to bring in a measure devising some gradual retirement of these promises to pay which are outstanding against the United States Government. In accordance with the greater demand for the issuance of smaller notes the fourth section of this act provides:

That the Secretary of the Treasury is hereby authorized and directed to receive deposits of gold coin with the Treasurer or any assistant treasurer of the United States, in sums of not less than \$10, and to issue gold certificates therefor in denominations of not less than \$10, and the coin so deposited shall be retained in the Treasury and held for the payment of such certificates on demand, and used for no other purpose.

This provides for the issue of gold certificates in denominations of not less than \$10 instead of not less than \$20 as formerly. I regret to find that there is no restriction placed on the amount of the issuance of these notes. The Secretary of the Treasury in his report, unless I am mistaken, suggested that they be only reissued to one-eighth of the amount of the whole sum. There is a danger in the unlimited issuance of \$10 notes, and while it may be considered remote, nobody can foretell what may take place in the way of political changes, and if these notes are issued in unlimited quantities in sums of \$10 the larger notes might be issued by the Secretary of the Treasury if he was opposed to the present system of finance in larger sums than twenty and fifty dollar bills in greenbacks, and then the following result might happen: All the banking institutions hold the larger notes for their reserves and for transmission, owing to the fact that they are more easily handled and less costly to remit by express. If the larger denominations of greenbacks were issued they might be held as a reserve by the institutions, and then suddenly brought to the Treasury and their redemption in gold demanded.

And so the gold reserves of this country might be depleted and drawn out, not by redemption of the gold notes, but by redemption of greenbacks, which would be a very serious thing and might lead ultimately to serious consequences. I would like to see an amendment offered to this, putting some restriction of one hundred millions or something that would reduce this amount and not leave it open, as it would be under this act.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

MESSAGE FROM THE SENATE.

The committee informally rose; and the Speaker having resumed the chair, a message from the Senate, by Mr. PARKINSON, its reading clerk, announced that the Senate had passed without amendment bill of the following title:

H. R. 6498. An act to amend an act entitled "An act to authorize Washington and Westmoreland counties, in the State of Pennsylvania, to construct and maintain a bridge across the Monongahela River in the State of Pennsylvania," approved February 1, 1903.

The message also announced that the Senate had passed bill of the following title; in which the concurrence of the House of Representatives was requested:

S. 342. An act for the improvement of the Mount Rainier National Park, in the State of Washington.

The message also announced that the Senate had passed the following resolutions; in which the concurrence of the House of Representatives was requested:

Senate concurrent resolution 88.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause a survey to be made of Portland Harbor, Maine, to include Fore River

above Portland bridge, and the entrance to Back Cove, with a view to widening and deepening the channels at those localities, and to submit estimates for such improvements.

Senate concurrent resolution 87.

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause an examination and survey to be made and an estimate submitted of the cost of improving the Bay of Monterey, California, to meet the demands of commerce.

The message also announced that the Senate had made the following order:

Whereas the House of Representatives, on the 14th day of December, 1904, by five of its members, Mr. PALMER of Pennsylvania, Mr. JENKINS of Wisconsin, Mr. GILLET of California, Mr. CLAYTON of Alabama, and Mr. SMITH of Kentucky, at the bar of the Senate impeached Charles Swayne, judge of the district court of the United States for the northern district of Florida, of high crimes and misdemeanors in office, and informed the Senate that the House of Representatives will in due time exhibit particular articles of impeachment against him and make good the same, and likewise demanded that the Senate take order for the appearance of the said Charles Swayne to answer the said impeachment: Therefore,

Ordered, That the Senate will, according to its standing rules and orders in such cases provided, take proper order thereon (upon the presentation of the articles of impeachment), of which due notice shall be given to the House of Representatives.

Ordered, That the Secretary acquaint the House of Representatives herewith.

IMPROVEMENT OF CURRENCY CONDITIONS.

The committee resumed its session.

Mr. HILL of Connecticut. Mr. Chairman, I would like to ask the gentlemen on the other side to now use some of their time.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I do not find anybody in opposition to the bill who desires to address the House at this time. The advocates of the bill have consumed something over one hour. This side has occupied twenty minutes. The debate might as well close now.

Mr. HILL of Connecticut. Mr. Chairman, I will yield fifteen minutes to the gentleman from Maine [Mr. POWERS].

Mr. WILLIAMS of Mississippi. But the gentleman from Connecticut can not yield to anybody now. The agreement in the House was that the time should be divided equally between those in advocacy of the bill and those in opposition to the bill. Gentlemen on his side have already consumed more than an hour of time, while on this side we have consumed about twenty minutes.

Mr. HILL of Connecticut. Well, Mr. Chairman, that is a new point of order to me, on which I would like a decision.

The CHAIRMAN. The Chair thinks that under an agreement, such as was had in this case, it is not in the power of one side to close debate by refusing to go on.

Mr. WILLIAMS of Mississippi. The agreement was that this bill should continue as unfinished business, and that the time for general debate should be divided equally between the advocates of the bill and those opposed to it, and that the gentleman from Connecticut should control one half of the time and the gentleman from Georgia should control the other half. The gentleman from Georgia is not here. I do not know to whom he has promised time. He was expected to speak himself. Nobody else that I know of is ready on this side. The other side has occupied more than one-half of the time.

The CHAIRMAN. The time on that side of the House, represented by the gentleman from Mississippi, could be made equal, of course, in general debate; but general debate can not be closed by a refusal of one side of the House to go on and debate the question.

Mr. WILLIAMS of Mississippi. I think it has been the uniform practice of the House, when debate has been equally divided, and we ran out of debating material, to close the debate. But if that is the ruling of the Chair, I move that general debate be closed, and in making that motion I will say that the other side has already had two or three times as much time as those in opposition to the bill.

The CHAIRMAN. The gentleman from Mississippi appreciates the fact that general debate can not be closed by order of the Committee of the Whole; it can only be closed in the House.

Mr. WILLIAMS of Mississippi. I can make a motion that after five minutes the debate be closed.

The CHAIRMAN. Not in Committee of the Whole in general debate.

Mr. WILLIAMS of Mississippi. Then, Mr. Chairman, I move that the committee rise, in order to report to the House.

Mr. HILL of Connecticut. I had not yielded the floor, Mr. Chairman, to the gentleman from Mississippi for any such purpose. I had yielded fifteen minutes to the gentleman from Maine [Mr. POWERS].

The CHAIRMAN. The motion is in order, but is not debat-

able. The question is on agreeing to the motion of the gentleman from Mississippi that the committee do now rise.

The question was taken; and on a division (demanded by Mr. HILL of Connecticut) there were 50 ayes and 33 noes.

So the committee determined to rise.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. DALZELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 4831, and had come to no resolution thereon.

Mr. WILLIAMS of Mississippi. Mr. Speaker, under the agreement made in the House the other day the gentleman from Georgia and the gentleman from Connecticut were to control the time, the former in opposition and the latter in advocacy of the pending bill. The time for general debate was to be equally divided between the two sides in advocacy of and in opposition to the bill. The advocates of the bill have consumed something over an hour's time. The opponents of the bill have consumed something like half an hour. The gentleman from Georgia being absent and in bed sick, I, being unadvised of his list of debaters, have not been able to find anyone to speak this morning. The gentleman from Georgia [Mr. BARTLETT] was to have spoken himself, and perhaps somebody was to have followed him to-morrow, but I do not know. At any rate I do not know of anyone who wishes to occupy further time. I therefore move, for it is patent to the House that there is no use for one side doing all the debating on a particular bill—I move that general debate be closed, and on that I move the previous question.

The SPEAKER. The gentleman from Mississippi moves to close general debate upon the bill H. R. 4831 in Committee of the Whole House on the state of the Union, and upon that he asks the previous question.

The question was taken, and the previous question was ordered.

Mr. HILL of Connecticut. Mr. Speaker, do I understand the motion is on the previous question?

The SPEAKER. The previous question has been ordered. The question now is on closing general debate.

The question was taken; and on a division (demanded by Mr. HILL of Connecticut) there were—ayes 93, noes 66.

So the motion was agreed to.

Mr. HILL of Connecticut. Mr. Speaker, general debate having been closed, in violation of the agreement made by the minority, I now move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4831) to improve currency conditions.

The SPEAKER. The question is on the motion of the gentleman from Connecticut that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4831) to improve currency conditions.

The question was taken; and on a division (demanded by Mr. HILL of Connecticut) there were—ayes 87, noes 81.

Mr. WILLIAMS of Mississippi. Mr. Speaker, I demand tellers.

Mr. HILL of Connecticut. Mr. Speaker, to save time, I will demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 122, nays 107, answered "present" 5, not voting 151, as follows:

YEAS—122.

Adams, Pa.	Dwight	Knowland	Scott
Adams, Wis.	Esch	Kyle	Shiras
Bartholdt	Evans	Lacey	Smith, Ill.
Bates	Fordney	Lafean	Smith, Iowa
Bede	Foster, Vt.	Landis, Chas. B.	Smith, Samuel W.
Beidler	Fuller	Lawrence	Smith, Pa.
Boutell	Gaines, W. Va.	Lilley	Southard
Bowersock	Gardner, Mich.	Littauer	Southwick
Bradley	Gillet, N. Y.	Longworth	Spalding
Brick	Gillet, Cal.	Loud	Sperry
Brown, Pa.	Gillet, Mass.	Lowering	Steenerson
Burke	Graft	McCall	Steuering
Burkett	Greene	McCarthy	Stevens, Minn.
Butler, Pa.	Hamilton	McCleary, Minn.	Sulloway
Calderhead	Hemenway	McLachlan	Tawney
Campbell	Henry, Conn.	McMorran	Thomas, Ohio
Capron	Hermann	Mahon	Tirrell
Cooper, Pa.	Hildebrandt	Marshall	Townsend
Cousins	Hill, Conn.	Miller	Volstead
Crumacker	Hinshaw	Morgan	Vreeland
Carrier	Holliday	Morrell	Wanger
Curtis	Howell, N. J.	Mudd	Webber
Cushman	Huff	Needham	Weems
Dalzell	Hull	Olmsted	Wiley, N. J.
Daniels	Humphrey, Wash.	Otjen	Williamson
Darragh	Jenkins	Palmer	Wilson, Ill.
Davis, Minn.	Jones, Wash.	Parker	Wood
Dovener	Kennedy	Payne	Woodyard
Dresser	Kinkaid	Porter	Young
Driscoll	Knapp	Powers, Me.	
Dunwell	Knopf	Reeder	

NAYS—107.

Acheson	Gillespie	Lamb	Ryan
Adamson	Glass	Legare	Shackelford
Aiken	Goulden	Lever	Sheppard
Baker	Granger	Lindsay	Sherley
Bankhead	Gregg	Little	Shober
Bassett	Griggs	Lloyd	Sims
Beall, Tex.	Gudger	Lucking	Smith, Ky.
Bell, Cal.	Hardwick	McNary	Smith, Tex.
Bonyng	Harrison	Macon	Snook
Bowers	Hay	Maddox	Stephens, Tex.
Bowie	Heflin	Maynard	Sullivan, Mass.
Breazeale	Hepburn	Meyer, La.	Talbot
Brundidge	Hitchcock	Miers, Ind.	Tate
Burgess	Hogg	Moon, Tenn.	Thomas, Iowa
Burleson	Hopkins	Padgett	Thomas, N. C.
Burnett	Hughes, N. J.	Pierce	Trimble
Byrd	Humphreys, Miss.	Pinckney	Underwood
Croft	Hunt	Pou	Vandiver
Crowley	James	Pujo	Van Duzer
Davey, La.	Johnson	Randell, Tex.	Wade
Dougherty	Jones, Va.	Ransdell, La.	Wallace
Feld	Kehoe	Rhea	Webb
Finley	Keliher	Rixey	Williams, Ill.
Fitzgerald	Kitchin, Claude	Robb	Williams, Miss.
Fitzpatrick	Kitchin, Wm. W.	Robinson, Ark.	Wynn
Garber	Kline	Robinson, Ind.	Zenor
Garner	Lamar, Fla.	Russell	

ANSWERED "PRESENT"—5.

Cassingham,	Deemer	Patterson, Pa.	Richardson, Ala.
Cromer			

NOT VOTING—151.

Alexander	Denny	Ketcham	Rider
Allen	Dickerman	Kluttz	Roberts
Ames	Dinsmore	Lamar, Mo.	Robertson, La.
Babcock	Dixon	Landis, Frederick	Rodenberg
Badger	Douglas	Lester	Rucker
Bartlett	Draper	Lewis	Ruppert
Benny	Emerich	Lind	Scarborough
Benton	Flack	Littlefield	Scudder
Bingham	Flood	Livernash	Sherman
Birdsall	Foss	Livingston	Shull
Bishop	Foster, Ill.	Lorimer	Sibley
Brandagee	Fowler	Loudenslager	Slayden
Brantley	French	McAndrews	Slemp
Brooks	Gaines, Tenn.	McCreary, Pa.	Small
Broussard	Gardner, Mass.	McDermott	Smith, Wm. Alden
Brown, Wis.	Gardner, N. J.	McLain	Smith, N. Y.
Brownlow	Gibson	Mahoney	Snapp
Buckman	Gilbert	Mann	Southall
Burleigh	Goebel	Marsh	Sparkman
Burton	Goldfogle	Martin	Spight
Butler, Mo.	Gooch	Minor	Stafford
Caldwell	Griffith	Mondell	Stanley
Candler	Grosvenor	Moon, Pa.	Sullivan, N. Y.
Cassel	Hamlin	Murdock	Sulzer
Castor	Haskins	Nevin	Swanson
Clark	Haugen	Norris	Taylor
Clayton	Hearst	Otis	Thayer
Cochran, Mo.	Hedge	Overstreet	Van Voorhis
Cockran, N. Y.	Henry, Tex.	Page	Wachter
Connell	Hill, Miss.	Patterson, N. C.	Wadsworth
Conner	Hitt	Patterson, Tenn.	Warner
Cooper, Tex.	Houston	Pearre	Warnock
Cooper, Wis.	Howard	Perkins	Watson
Cowherd	Howell, Utah	Powers, Mass.	Weisse
Davidson	Hughes, W. Va.	Prince	Wiley, Ala.
Davis, Fla.	Hunter	Rainey	Wilson, N. Y.
Dayton	Jackson, Md.	Reid	Wright
De Armond	Jackson, Ohio	Richardson, Tenn.	

So the motion was agreed to.

The Clerk announced the following additional pairs:

For the day:

Mr. KETCHAM with Mr. LESTER.

For the vote:

Mr. MANN with Mr. GOLDFOGLE.

Mr. ALLEN with Mr. LIND.

Mr. LOUDENSLAGER with Mr. RICHARDSON of Alabama.

Mr. FOSS with Mr. BENTON.

Mr. LITTLEFIELD with Mr. McDERMOTT.

Mr. McCREARY of Pennsylvania with Mr. LEWIS.

Mr. HEDGE with Mr. McLAIN.

Mr. ROBERTS with Mr. HOUSTON.

Mr. MURDOCK with Mr. SLAYDEN.

Mr. MONDELL with Mr. SPARKMAN.

Mr. MOON of Pennsylvania with Mr. SPIGHT.

Mr. WRIGHT with Mr. WEISSE.

Mr. GIBSON with Mr. CANDLER.

Mr. BINGHAM with Mr. LIVINGSTON.

For the balance of the day:

Mr. POWERS of Massachusetts with Mr. EMERICH.

Mr. GARDNER of New Jersey with Mr. CLAYTON.

Mr. OVERSTREET with Mr. COWHERD.

The result of the vote was announced as above recorded.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 4831) to improve currency conditions, with Mr. DALZELL in the chair.

The CHAIRMAN. General debate has been closed by order of the House. The Clerk will report the bill by paragraph.

The Clerk read as follows:

Be it enacted, etc., That section 5153 of the Revised Statutes be, and is hereby, amended by striking out from the first clause of said section the words "except receipts from customs;" so that said clause shall read as follows:

"All national-banking associations designated for that purpose by the Secretary of the Treasury shall be depositories of public moneys, under such regulations as may be prescribed by the Secretary; and they may also be employed as financial agents of the Government; and they shall perform all such reasonable duties as depositories of public moneys and financial agents of the Government as may be required of them."

Mr. POWERS of Maine. Mr. Chairman—

The CHAIRMAN. The gentleman from Maine.

Mr. WILLIAMS of Mississippi. Mr. Chairman, I want to offer an amendment.

The CHAIRMAN. The gentleman from Maine has been recognized. The Chair will recognize the gentleman from Mississippi later.

Mr. POWERS of Maine. Mr. Chairman, I yield to the gentleman to offer his amendment.

The CHAIRMAN. The gentleman from Mississippi offers the following amendment, which the Clerk will report.

The Clerk read as follows:

After the word "regulations," in line 9, page 1, insert the words "requiring payment of interest on amounts deposited and limiting amount to be deposited in any one bank bidding in competition for the same."

Mr. WILLIAMS of Mississippi. Now, the gentleman from Maine has yielded to me to offer the amendment. Will he yield me just two minutes for an explanation in brief of what it is? I just want the House to understand what it is, and then I will yield back to the gentleman.

Mr. POWERS of Maine. Providing it does not come out of my time.

Mr. WILLIAMS of Mississippi. Oh, no; not at all.

Mr. Chairman, this amendment is offered for the purpose of accomplishing the object that I called attention to the other day in the general debate. It is for the purpose of requiring banks which receive deposits to pay interest upon them, to compete in order to determine which bank shall obtain the deposits, to permit the Secretary of the Treasury to prescribe in what manner that shall be done, and also to prescribe a limitation of the amount which any one bank shall receive on deposit. I do not wish to debate the matter, but for fear the House did not understand it from the reading of the Clerk I wanted to make an explanation, as a great many of you were not listening and there was a great deal of confusion at the time the Clerk read the amendment. I want you to know that this is to stop the abuse of lending money to the banks without interest, and to make those banks that receive money pay for it.

Mr. POWERS of Maine. Mr. Chairman, it has been my misfortune not to be present during the debate upon this bill, and judging from what I have read and heard about it I think very few of the Committee on Banking and Currency, if any, have taken much part in that discussion. Now, whatever affects the regulations of the Treasury Department as to the course to be pursued with the surplus therein and whatever affects the currency of our country is of vital interest to us all. I am a believer in sound currency, in a dollar that is worth its full face value everywhere. This first section in the bill repeals a prohibition that has been placed upon the power of the Secretary of the Treasury to deposit in national banks money collected on imports. When that inhibition was placed there it was wise. Conditions were different then from what they are now. It was absolutely necessary that there should be gold paid into the Treasury to meet certain obligations which were payable in gold. All customs duties were payable in gold, while other indebtedness to the Government could be settled with currency. The reasons which led to the placing of that inhibition, or the adoption of it, preventing the deposit of money collected for customs, have ceased to exist since all our currency is on a gold basis, and what was wise in its time and indispensable has become irksome and useless. Now, I am not intending to discuss the proposition of whether or not national banks should pay interest upon deposits or under what conditions they should pay. It seems to me that there are some reasons why they should, but yet that is a question that requires careful consideration, and in my judgment should be considered in committee carefully and reported to this House in a separate bill by itself covering all the conditions in reference thereto which must necessarily be provided for in case we are to require anything of that kind of them. Nothing of the kind was contemplated in this section. To-day a collector of customs collecting money at some port distant from a subtreasury can not deposit with a national bank as can a collector of internal revenue, but he must send by express, at the expense of the Government, all moneys collected to some subtreasury. That is true,

I believe, of every customs district or customs collector in my own State. If, on the contrary, he could deposit that money in an authorized depository and send a check from that authorized depository on its correspondent bank in the city where the subtreasury is as often as regulations may require, the Government would save a large amount of money that is now paid for expressage, and the money would not be withdrawn from the circulation or business of the country. The object aimed at by this section is not in the interest of the banks, but of the Government and commercial prosperity.

I am not frightened with the bugbear of national banks. I believe they have had much to do with our wonderful prosperity, that our banking system is one of the best ever devised, and I am also confident that to no one is a panic more injurious than to them. Still I have no fears but they can care for their interests.

By permitting this legislation we do not in the least increase the amount that the Secretary of the Treasury can deposit in national banks, because the amount of deposits has never yet reached, by a large sum, the amount collected from other sources. The adoption of this section and the repeal of a restriction which has become irksome and useless simply permits the deposits of all moneys alike, saves expense to the Government of the United States, and has a tendency to keep it in circulation. I can not see why any person should object to it.

The CHAIRMAN. The time of the gentleman from Maine has expired.

Mr. POWERS of Maine. Well, I do not know that I desire to discuss this section any further. It seems to me that I have made my position upon it fairly plain. I have something I may desire to say on some other sections of the bill, as I had not the privilege of being heard in general debate and am a member of the Committee on Banking and Currency, from which it was reported.

Mr. MACON. I desire to offer an amendment.

The CHAIRMAN. Is it an amendment to the amendment?

Mr. MACON. It is an amendment to the section.

The CHAIRMAN. Then the gentleman will withhold his amendment until the other is disposed of. The Chair will recognize the gentleman later.

Mr. MACON. The amendment can be held there; I would like to be recognized on it as soon as the other is disposed of.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Mississippi.

Mr. HILL of Connecticut and Mr. WILLIAMS of Mississippi rose.

Mr. HILL of Connecticut. If the gentleman desires to discuss his amendment—

Mr. WILLIAMS of Mississippi. I do not wish to be heard on the amendment unless somebody desires to debate it.

Mr. THAYER. Mr. Chairman, I am in favor of the principle embodied in the gentleman's amendment, but I think it would be better that the per cent should be fixed rather than to leave it for competition.

Mr. WILLIAMS of Mississippi. You mean the interest?

Mr. THAYER. I mean the minimum interest; and I would not make it very large—not 2 per cent.

Mr. WILLIAMS of Mississippi. We can not fix that fully from year to year or month to month, because that would depend upon the state of the money market. Better to have the rate of interest on the deposits fixed by the rate of the bids of the banks. That would be a better way to have it than to leave it to the discretion of the Secretary of the Treasury making regulations changing it.

Mr. THAYER. I do not like the auction feature of the motion. I always have believed that banks should pay some interest on national deposits, which they are not doing now. I know that they are secured by the bonds that are deposited; but I think that in addition to that the banks should pay some small rate of interest on all deposits, and if all the customs—those which by this bill would be and the others which are deposited—are to be given over to national banks it seems to me that the banks should pay some interest.

It seems to me there might be some inconsistency; but I would like to ask whether the gentleman's motion is intended to include only these new customs that they are going to be permitted to deposit, or does it refer not only to these customs but to all other money? I did not note carefully the reading of the gentleman's motion.

Mr. WILLIAMS of Mississippi. It applies to all classes of money.

Mr. THAYER. Then I am more heartily in favor of it than ever. But I think it would be better to fix a minimum limit rather than to let it out to the highest bidder. I don't like this auction feature of the gentleman's motion. I think the general

principle of his motion is right. I do not see why these banks should not pay interest, and there is no logic in their having the use of the money without paying anything for it. I understand that the gentleman who prepared the minority report on this bill is in favor of the proposition that is contained in this first section.

While I am on my feet I want to say something relative to a section coming further along down, so that the Members can be thinking about it. It is contained in section 3. I am opposed to Congress shirking, if I may use that word, their responsibilities and duties and throwing them on the heads of Departments, whether it be the Secretary of the Treasury, the Secretary of the Navy, or the Secretary of any of the other great Departments. I think if we have a duty to perform here we ought to take the responsibility; and it occurs to me that it would be wise legislation, in view of the fact that we are to permit the recoining of the silver dollars into subsidiary coin, that we should place a limit as to the amount that shall be recoined each year. We should not leave it to the discretion of anyone, the Secretary of the Treasury or anyone else. I have noticed in other forms of legislation that we have adopted the plan of leaving many things to the Secretary of this and the Secretary of that. I think it is better that we should place the limit here, and we should not place this responsibility on the Secretary of the Treasury as to how much of the silver currency shall be recoined into subsidiary coin each year.

As I understand it, there are 528,000,000 of silver dollars now—500 carloads of silver dollars in the Treasury. Now, Mr. Chairman, what I claim is, if any amount of this is to be recoined into subsidiary coin where it is needed and taken from the place where it is not needed, namely, in silver dollars, then I should place a limit on the amount that should be recoined each year.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. THAYER. Well, I can discuss this matter further when the section is reached in regular order.

Mr. HITCHCOCK. Aside from the fact that the Government of the United States derives no return whatever from something like \$150,000,000 now on deposit in the national banks of the country year in and year out, aside from the fact that those banks pay nothing to the Government for the valuable use of that great sum of money, it seems to me there is another important reason why this amendment, offered by the gentleman from Mississippi [Mr. WILLIAMS], should carry. That is, that the present practice permits the Administration, for the time being, to locate these great sums of money in banks that may be, for the time being, political favorites. And we know by the past that this has been done. It has been put into the record of the proceedings of this House that great bankers in the city of New York have demanded of the Administration the deposit of Government funds in their particular banks in reward for political services rendered by the officers of those banks. If the amendment offered by the gentleman from Mississippi [Mr. WILLIAMS] shall prevail, that evil in politics in part will be removed, and deposits of the Government, if they must be placed in banks, will be placed not as a reward for political services, but strictly upon business principles.

Personally, Mr. Chairman, I do not favor the idea embodied in this section. I believe that, instead of removing the limitations for the deposit of public money in the banks of the country, so as to increase the opportunity for the deposit of public funds, the legislature of this country should go in the opposite direction. It seems to me that this removal at this time is designed chiefly not to promote the public service by permitting customs officers at remote regions to deposit in bank, but is designed chiefly to swell the great deposits of the Government in the banks in New York City, where most of the customs are to be paid. It will have no effect at all upon the interior banks of the country, and will chiefly serve, and is designed chiefly to swell the deposits of, the great banks in New York City, where the money can be used to loan to stock gamblers and other borrowers, who may borrow it there. But, certainly, if we must have this provision, we should incorporate the amendment offered by the gentleman from Mississippi [Mr. WILLIAMS]. [Applause.]

Mr. HILL of Connecticut. Mr. Chairman, the section of the bill under consideration has absolutely nothing to do with the question presented by the gentleman from Mississippi [Mr. WILLIAMS] or with the point discussed by the gentleman from Nebraska [Mr. HITCHCOCK]. It is simply a straightforward business proposition. For instance, it is a question, practically, whether the treasurer of the city of New York in collecting the taxes of the city of New York should take those taxes and lock

them up in the vaults of the city or deposit them in the banks and have them go back into circulation, where they may be drawn upon by the treasurer.

It is a question whether the custom-house collector in Tampa, Fla., or on the coast of Canada, or on Puget Sound, or on any of the outlying portions of the United States, should take the identical money, the coin, the bills, out of circulation in the community where the customs are paid and ship them by express to Washington, or whether he should keep them in circulation by depositing them in the banks in the community where they are collected and permit the Government to draw on them by check or draft just as any individual would in his business, or as any corporation would do, with these funds. Forty years ago the Government could not do that, because the interest on the bonds being payable in gold, and gold being at a large premium, it was necessary to take the identical funds and have them sent to Washington and locked up in the Treasury and use them for this specific purpose. That course is no longer necessary. The question which the gentleman from Mississippi [Mr. WILLIAMS] raises is an entirely different one, and a discussion of the policy of paying interest on deposits will be found in the Treasurer's report at length last year. The policy which is now being pursued continued for sixty years under Democratic Administrations and for forty years under Republican Administrations.

This is purely an administrative measure. If the House wants the Government to withdraw these funds from circulation which are paid in for customs and to lock them up in the Treasury, taking them out of daily use by the people, they will strike out this section; but the amendment offered by the gentleman from Mississippi [Mr. WILLIAMS] involves large questions of a hundred years' duration that have not been considered at all by the committee and ought not to be put as an amendment onto this proposition. For this is a straightforward business proposition and nothing else, purely administrative, and the other is theoretical. I hope the amendment will be voted down and the section adopted as it is.

Mr. COCKRAN of New York. Mr. Chairman, will the gentleman allow a question?

The CHAIRMAN. Does the gentleman from Connecticut yield to the gentleman from New York?

Mr. HILL of Connecticut. I do.

Mr. COCKRAN of New York. Mr. Chairman, what is the objection to applying business principles to this money?

Mr. HILL of Connecticut. Not any.

Mr. COCKRAN of New York. To the money collected under the provisions of this bill?

Mr. HILL of Connecticut. There is no objection. That is the purpose of the bill, to apply ordinary business methods.

Mr. COCKRAN of New York. Surely the gentleman does not contend that where there are large deposits placed in a bank by any institution, public or private, it is unusual to exact interest.

Mr. HILL of Connecticut. Why, not at all, Mr. Chairman, and I honestly wish as a Republican that there were no surplus to deposit in the national banks of the country outside of the ordinary business requirements of the Government; but this relates to the ordinary business requirements of the Government, the money that is coming in from day to day and going out from day to day. The question which the amendment of the gentleman from Mississippi [Mr. WILLIAMS] relates to is the question whether, after the money had been received in the Treasury Department and it is taken out and placed as a loan, it should receive interest. That is the proposition which he is endeavoring to inject into this bill.

Mr. COCKRAN of New York. Mr. Chairman, why does the gentleman object to making the same rule for the deposit of funds received by the Government that would be made by any other business institution likely to make deposits of equal amount?

The CHAIRMAN. The time of the gentleman has expired.

Mr. COCKRAN of New York. I ask unanimous consent that the time be extended to allow the gentleman to answer this question.

The CHAIRMAN. If there be no objection, the time of the gentleman from Connecticut will be extended.

There was no objection.

Mr. HILL of Connecticut. I would state that the question involves very different principles from that involved in this bill. I will call the gentleman's attention to the Treasury report for last year, page 25, in which the Treasurer discusses this whole question. And I would also call his attention to an act of Congress of June 23, 1836, where the whole question of interest on deposits was treated. And even there, under Democratic administration—and wise administration, in my judgment—no

interest was charged on deposits within a limit of 25 per cent of the bank's capital, it being considered that that was what would be called an "active deposit," being deposited and drawn on every day.

I will state to the gentleman from New York [Mr. COCKRAN] that the whole purpose of this section was to treat the Government funds precisely as the gentleman would treat his own, precisely as the New York Central Railroad or the Pennsylvania Railroad would treat their active working balances. It did not propose and does not propose to dispose of the question of the loaning of surplus money in any way, shape, or manner, and it hardly seems to me fair to inject that proposition into this administrative measure.

Mr. COCKRAN of New York. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Connecticut yield?

Mr. HILL of Connecticut. I think the gentleman from New York has the floor.

Mr. COCKRAN of New York. I desire to take the floor in my own time.

The CHAIRMAN. The gentleman from New York is recognized.

Mr. COCKRAN of New York. Mr. Chairman, I support the amendment of the gentleman from Mississippi [Mr. WILLIAMS] largely on account of the answer just made by the gentleman from Connecticut. [Applause on the Democratic side.] I want exactly the same rules applied to the management of its finances by the Government that I would apply in my own affairs, or that the New York Central Railroad would apply to any funds that came into its possession. If I had a large amount of money to deposit, I would place it either in a trust company or with a bank under an arrangement to pay interest upon my daily average balance, and that is what it seems to me the Government should do. If it be a balance so active that it will not allow the payment of interest at a profit to the bank, why, no bank will offer me any interest, and in that case I will be compelled to make a deposit unconditionally.

Now, my friend from Massachusetts [Mr. THAYER] suggests that he abhors the idea of a competition or auction between banks to fix the rate of interest. I do not quite know how a rate of interest can be fixed or determined except through competition or through an auction, as he calls it. Every penny that is borrowed anywhere is borrowed as the result of an auction or competition in which the borrowers contend against each other for the best conditions on which they can secure a loan, and the lenders contend against each other for the best conditions under which they can make the loan. The result of these competitions fixes the rate of interest. You can not have a market rate of interest fixed in any other way.

Mr. THAYER. Our savings banks paid a rate of 5 per cent for a good many years.

Mr. COCKRAN of New York. Established by whom?

Mr. THAYER. Loans on mortgages to savings banks. Now I think this rate ought to be low—I think it ought to be less than 2 per cent.

Mr. COCKRAN of New York. Whatever rate the Government would fix might prove too high. Assuming it to be as low as 2 per cent a year, the rate in the market may fall so much lower that the banks would not pay even that moderate rate; for if a bank could not loan money at more than 1½ per cent manifestly it could not pay 2 per cent to the Treasury for the use of it.

Mr. THAYER. But, Mr. Chairman, the Government would be no worse off than it is now, for it gets nothing now.

Mr. COCKRAN of New York. I do not want the Government, after we have dealt with any of its functions, to be in a condition where the best that can be said of it is that it is no worse off for our meddling. I want this legislation or any other legislation that finds its way into our statute books to result in some positive advantage to the Government. Unless you leave the rate of interest to be fixed by the operations of trade, you are liable to nullify your bill and make it wholly inoperative with regard to this matter of seeking interest on deposits of public moneys.

Mr. OLMSTED. If the gentleman from New York [Mr. COCKRAN] or myself were fortunate enough to have a large sum of money which we wished to deposit we might receive bids from banks, but is it not also true that in many such cases it might be found that the bank offering the largest rate of interest was the least stable and solvent?

Mr. COCKRAN of New York. Undoubtedly, sir. The gentleman from Pennsylvania [Mr. OLMSTED] makes a suggestion that is pregnant with interest. I heard myself with great interest a passage at arms between the gentleman from Connecticut [Mr. HILL] and the gentleman from Mississippi [Mr. WILLIAMS] two

days ago, in which that question was broached, and treated with great felicity. The gentleman from Mississippi [Mr. WILLIAMS] seemed to believe that wherever rates of interest were high money would naturally gravitate for employment; but that is a mistake. There is something more important to owners of money than the rate of interest, and that is the security. I remember a social organization some years ago in New York that was known as the "Hyena Club," whose members were possessed of everything but money. [Laughter.] One of the humorous features of its sessions was to post on the walls the market rate for call money from the Evening Post, which seldom exceeded 3 per cent, and alongside of it an offer of the Hyena Club of 30 per cent for any amount. [Laughter.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. OLMSTED. Mr. Chairman, I will ask that the gentleman's time may be extended. We have taken up his time mostly among ourselves.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent that the time of the gentleman from New York may be extended. Is there objection?

There was no objection.

Mr. COCKRAN of New York. In those days there was also an occasional flurry about time loans, coming from a disposition on the part of borrowers to demand that they should be for four months or three months instead of sixty days. The Hyena Club always coupled with its liberal offer of a 30 per cent rate of interest a statement that it was indifferent as to time, that all it asked was thirty seconds; the balance it would take for itself. [Laughter.] Now, that occurred in Park Row, which is only a stone's throw from Wall street, where men were competing eagerly with each other for a chance to loan at 2½ per cent or 3 per cent. Yet the Hyena Club's offer of 30 per cent never induced one owner of money to make it a loan or even received the slightest notice. So it is that you find money will not flow always or indeed usually in the direction where the highest rates of interest are offered. Where rates of money are highest there security is generally believed to be lowest. Where the rates of money are lowest there lenders believe the security to be best, and as owners of money value the safety of their funds above the profits to be made by lending them, it follows that the lower you find interest rates in any place the stronger the tendency of money to gravitate in that direction.

Mr. SHERLEY. Mr. Chairman, is not the question of security absolutely eliminated by the fact that no deposits of Government money can be made in any bank except upon security given by the bank in the way of a deposit of United States bonds?

Mr. COCKRAN of New York. That is quite true as to these particular deposits, but the rate of money will not be controlled by these particular deposits. The whole supply of money available for all the purposes of trade will fix the rates of interest at every point. Now, I do not fear at all the operations of trade in fixing the rate of interest. It is quite true that under the operation of this system money would very probably flow in the first instance to New York. But it must be employed by New York bankers. They can not make profits out of it by locking it up in a vault and contemplating it or counting it. They must employ it by sending it out into the channels of trade in order to receive any return for it. Now, if the Government select one particular bank and place money on deposit with it without interest, it is practically making a present to that particular institution of an amount equal to the interest that deposit will earn; and that is not only unjust to the entire body politic, but it is a source of demoralization quite as corrupting as the gentleman from Mississippi declared it to be the day before yesterday. You must allow the Government, on the other hand, to deposit its funds in the banks or else those funds must remain locked up in some vault of a sub-treasury. Money locked up in the vault of a sub-treasury is withdrawn from circulation. The channels of trade are deprived of its vivifying influence. There are no means of getting those funds out into the various avenues where they can be employed to the profit of everyone except to deposit them in the banks.

Section 1 of this bill aims at that end. It is a most salutary measure. The reason why funds proceeding from customs taxation have not been hitherto deposited in banks according to the usual custom of civilized nations has been explained by the gentleman from Connecticut [Mr. HILL], and it has passed away. You can not allow large sums of money to be gathered and held idle in a vault without seriously restricting the activities of commerce and endangering its prosperity. But the rules of sound commerce should be made to govern all the oper-

ations of government, not merely to prescribe the deposit of public funds in the banks for the purpose of liberating them, but also to prescribe wholesome conditions under which the deposit must be made. I would not, even if this amendment fail, vote against this bill, because I consider there is a capital necessity to keep the public moneys in circulation through the medium of the banks, even if the conditions of deposit be unjust to the Government; but I do not think opposition to this should be justified, even colorably, by any hesitation on the part of its sponsors to adopt a suggestion which is not only conceived in morality and justice but which is backed by the experience of every community; and I appeal to the gentleman from Connecticut [Mr. HILL], when an amendment comes from this side of the House which does not impair but strengthens his measure, to adopt it gladly and allow those of us on this side who sympathize with the body of his bill to feel that we are not helping a party measure of the other side, but that we are joining in a nonpartisan attempt to make the conditions of our trade more prosperous by broadening and strengthening its foundations.

Mr. SCOTT. Mr. Chairman, will the gentleman permit an interruption?

The CHAIRMAN. Does the gentleman yield?

Mr. COCKRAN of New York. Certainly.

Mr. SCOTT. Mr. Chairman, I am very much disposed to sympathize with that amendment, and if I fail to support it it will be because of a fear that it might operate to keep the money, these surplus funds of the Government, out of circulation in this way, and I desire to ask the gentleman's opinion upon that. I notice that call money in New York yesterday was at 2½ per cent, notwithstanding the recent very great flurries in Wall street. Is it the opinion of the gentleman from New York [Mr. COCKRAN] that New York bankers would be willing to pay even so much as 1 per cent interest regularly on Government balances, which are likely to be called for at any time, when, even with the conditions that prevail such as have for the past two days in New York, they can get only 2½ or 3 per cent for their call loans?

In other words, would not the insistence on the part of the Government for some measure of interest on its deposits cut out a very large sum of money from circulation and compel it to be locked up in the vaults where the people would have no opportunity to use it?

Mr. COCKRAN of New York. Oh, no. If a bank could not afford to pay 1 per cent, it would bid only one-half of 1 per cent, and if it could not afford to pay one-half of 1 per cent, it would simply bid one-quarter of 1 per cent. The amendment of the gentleman from Mississippi [Mr. WILLIAMS] leaves the value of money to be fixed absolutely by conditions of trade and the rate of interest to be determined by the banks themselves. The bank which thinks it can afford to pay 2 per cent will be successful in obtaining a deposit against a bank which offers only 1½ per cent, the action of each bank being controlled by the judgment of its officers; and that forms the competition which is the very life of prosperous commerce, for it makes success a prize to be won by superior service to the community.

Mr. WILLIAMS of Mississippi. Mr. Chairman, in reference to the matter last mentioned by the gentleman from Kansas [Mr. SCOTT], this is to be remembered—that probably the banks will give more for money deposited by the Government "on call" than for any other sort of call money, because the Government makes the least sudden of all calls for money on call, the Government always giving from thirty to sixty days' notice. That is the invariable custom.

Now, another thought, Mr. Chairman. Ordinarily when one has money to lend one considers both the security and the interest to be offered by the borrower, but in this case the Government would consider the interest alone, for the simple reason that the security is the same for all banks, it being already prescribed by law and every mooted point in connection with the legal prescriptions and security being settled by precedents in the Department, so that the question asked by the gentleman from Pennsylvania [Mr. OLMSTED] is absolutely wide of the mark in this case. If I wanted to lend money and he and three other gentlemen bid for it, I would inquire very solicitously not only as to their rates of interest, but I would inquire very solicitously as to the solvency of each and as to the security which each were going to give.

Mr. OLMSTED. I am afraid I would not get your deposits.

Mr. WILLIAMS of Mississippi. I expect maybe you would to the limited amount I have been hitherto able to lend. I believe I would take your personal note to go on.

Now, in this case, Mr. Chairman, the Government requires the same security of all bidders.

Now, I want the House to understand just exactly what this

amendment does. This without the amendment reads as follows. Follow me, please:

All national banking associations designated for that purpose by the Secretary of the Treasury shall be depositories of public moneys, under such regulations as may be prescribed by the Secretary; and they may also be employed as financial agents of the Government; and they shall perform all such reasonable duties as depositories of public moneys and financial agents of the Government as may be required of them.

Now, as it stands to-day without the proposed amendment, these depositories are designated for that purpose by the Secretary of the Treasury "under such regulations as he may prescribe" from time to time, and there is danger of favoritism, if he wishes to show any. I knew once in my life of a most flagrant case of favoritism of my own knowledge. A Member of this House forwarded to the Secretary of the Treasury—under an Administration which I shall not mention for obvious reasons, because I do not want any personalities brought into the debate and do not want my argument to be an attack upon anybody—an application from a national bank in a little town in his State asking that that bank be made a Government depository. There came back an answer in writing from the proper authority saying that the Government did not have any more money to deposit in banks for that fiscal year. This Member of Congress was very much astonished about a week after that to pick up a newspaper and see a piece of news to the effect that the Republican referee for his State had been to Washington and had secured the designation of another bank in the same town as the Government depository. He therefore sat down and wrote to the Secretary of the Treasury calling his attention to the Department's letter, inclosing a copy of it, and at the same time calling attention to his own letter to the Treasury Department and calling attention to this newspaper publication and asking if it were true. The official wrote that it was true; that there had been some mistake, oversight, or something of the kind, whereby a bank in that town—

[Here the hammer fell.]

Mr. WILLIAMS of Mississippi. I ask for five minutes more, Mr. Chairman.

The CHAIRMAN. Is there objection to the request of the gentleman from Mississippi? [After a pause.] The Chair hears none.

Mr. WILLIAMS of Mississippi. Whereby a bank in the town that was designated by the Republican referee had obtained the designation, and the official then very kidly made them both national depositories, so as to have no question about it, notwithstanding the previous communication that there would be no other deposits made.

I have read you the clause of the present law and of the bill.

Now, then, this clause as amended will read as follows, and I ask you to follow it:

All national banking associations designated for that purpose by the Secretary of the Treasury shall be depositories of public moneys, under such regulations, requiring payment of interest on amounts deposited and limiting amount in any one bank bidding in competition for the same, as may be prescribed by the Secretary.

In other words, such regulations, subject to those stated limitations, as may be prescribed by the Secretary.

And now the gentleman from Connecticut says that this has nothing to do with this particular bill and this particular clause. It has everything to do with it. The section of the bill without amendment gives full power and discretion to the Secretary of the Treasury; the amendment prescribes the direction and limit within which that power shall be exercised.

Mr. SCOTT. Will the gentleman allow me to ask him a question?

Mr. WILLIAMS of Mississippi. Yes.

Mr. SCOTT. I would like to ask if the Secretary is not now given the power to limit the amount which may be deposited in any one bank?

Mr. WILLIAMS of Mississippi. I do not know whether he is or not. I have never looked into it far enough to know.

Mr. SCOTT. I understand that to be the case.

Mr. WILLIAMS of Mississippi. But if he is, he has never exercised it, and he never will.

Mr. SCOTT. He certainly always has exercised it.

Mr. WILLIAMS of Mississippi. He never has exercised it in the direction of demanding interest.

Mr. SCOTT. No.

Mr. WILLIAMS of Mississippi. And it is perfectly evident to me and to you that unless we adopt some such provision as contained in this amendment there will necessarily be no interest payment required.

Mr. SCOTT. He is exercising that now every time he makes a deposit.

Mr. WILLIAMS of Mississippi. I understand he does as to amount, but this amendment merely limits the amount which

may be given to any one bank in bids, without saying which he might be able to give it all to one bank. I do not suppose he would, of course, but there are some of the banks of this country that are big enough to take all of it, so far as that is concerned, and give good security for it, too.

Mr. NORRIS. Will the gentleman permit me to ask him a question?

Mr. WILLIAMS of Mississippi. Certainly.

Mr. NORRIS. I want to ask him if under the terms of his amendment the Secretary, in his judgment, would be prohibited from depositing any money in any of these depositories without having competitive bids for the same?

Mr. WILLIAMS of Mississippi. Absolutely.

Mr. NORRIS. I do not understand the amendment that way, I will say to the gentleman.

Mr. WILLIAMS of Mississippi. Yes. Because it says that he shall do it under such rules and regulations regarding the payment of interest on the amount limited to be deposited in any one bank as may be prescribed.

Now, the gentleman from Connecticut says this is "a straightforward business proposition," just as it stands, without the amendment; but all the business, it seems to me, is on the side of the bank, and I want the Government itself to do a little bit of straightforward business.

Mr. NORRIS. Will the gentleman permit another question?

Mr. WILLIAMS of Mississippi. Certainly.

Mr. NORRIS. The amount under your amendment is not limited, as I understand it.

Mr. WILLIAMS of Mississippi. It is to be limited by the regulation of the Secretary of the Treasury. We leave it to him to designate the amount that may be deposited in any one bank. Now, I want to do that, because if we go into that we will get into a row as to what the amount shall be; so we leave it to the Secretary.

Now, the gentleman from Connecticut says this system of loaning money to the banks without interest has been carried on for sixty years, under Democratic as well as Republican Administrations. If that proves anything at all, it proves that it is time to stop it; and the fact that this thing went on under a Democratic Administration does not prove anything except that a Democratic Administration did a wrong which gentlemen will argue, a Republican Administration shall perpetuate.

There is this difference in matters of administration. Down to a comparatively recent date the Government never had any, or at least any big surplus in the Treasury, and it was good government. No government should have any great surplus in the Treasury. It ought to be just like in any business, with as little idle capital as possible, especially when the people must be burdened by taxation in order to supply the surplus.

One of the many things which I think proves the existence of chronic bad government is the fact that the Government has gotten into the habit of having a great and immense surplus in the Treasury. This shows that legislation is more required now than at any other time.

Now, the gentleman urges as an objection to it that he thinks it has not been sufficiently considered. There are men in this world who, whenever you say "bank," or whenever you say "finance," whenever you say "money," whenever you say anything of that sort, think that you have unfolded a great mystery. And yet we find in practical life the men of real good common sense are the men who make money—are the best financiers. There is plenty of common sense in this House to consider this bare and bald proposition that it is better for the Government to lend money at interest than without interest. There is no mystery about this matter at all. It does not require any full-fledged economist or financier to understand it.

Now, as the gentleman from New York suggests, if there were any questions as to a rate of interest here, that is fixed in the amendment by the automatic processes of business. No bank is going to offer a greater rate than that rate at which it can profitably use the money; and if it finds it can not make money at that rate it will soon return to the Treasury the amount deposited.

One object of my amendment is this: The money is now going to the great centers to be used for speculative purposes, to corner markets, and everything else. On October 31, 1903, \$39,000,000 went to New York City and \$42,000,000 to New York State to constitute a fund for speculation in "industrials," etc.; in short, for plain gambling. It ought to be the object of the National Legislature to have the money go to the parts of the country that are developing most rapidly, that are building up with productive enterprise, and not merely gambling in wheat, corn, copper, and stocks; and this would be the effect, in my opinion, of doing that very thing which my amendment requires, because the security being the same, the question of

comparative safety being eliminated, there is nothing left to determine the direction in which the money shall go except the question of comparative rate of interest. It will therefore go to the place of the highest prevailing interest rate.

I thank you, Mr. Chairman.

Mr. NORRIS. Mr. Chairman, I am most heartily in favor of the proposition that interest should be exacted from the banks that have the Government funds on deposit. It seems, however, that the proposition of the gentleman from Mississippi [Mr. WILLIAMS] has some objections that can be avoided by the adoption of an amendment to this section, and I want to read one which I propose to offer, providing that this amendment is not adopted.

I think one of the principal objections to the amendment is that the amendment itself does not provide, as I understand it, for any method by which the different banks may bid in competition for this money.

Mr. WILLIAMS of Mississippi. It does that, however, but not in so many words. It provides that they shall do this under regulations prescribed by the Secretary of the Treasury.

Mr. NORRIS. I understand.

Mr. WILLIAMS of Mississippi. And the Secretary of the Treasury, in my opinion, is better competent to prescribe those regulations than we are.

Mr. NORRIS. That may be possible, but at the same time there would be a great deal of difficulty in this respect. There is another objection, it seems to me, that applies to the amendment of the gentleman from Mississippi [Mr. WILLIAMS], that ought to be avoided if possible, and that is, as I understand it—that is one of the objects of this section—to keep the money in circulation and permit the Secretary of the Treasury to deposit money in distant parts of the country in order that he may check on those deposits and transfer them to some other places.

Now, if you are only going to keep the money for a day, twenty-four hours, two days, or such a matter in a bank, you could not expect them to bid anything. It would not be reasonable that they should. It seems to me that this bidding process is not the best means to reach the difficulty. Now, Mr. Chairman, it seems to me that an amendment which I desire to offer reaches the proposition, and when the proper time comes I desire to move to add, in line 10, after the word "Secretary," the following amendment:

Provided, That no money shall be deposited in any depository for a period exceeding three months without exacting interest therefor at a rate of not less than 2 per cent per annum.

Mr. WILLIAMS of Mississippi. That gives the banks three months' use of the money free.

Mr. NORRIS. Yes. I do that on the theory that if the money was going to be deposited for a few days, or for a short time only, it would be practically impossible for the Secretary of the Treasury to put in operation his rules that he might adopt to let the banks bid for this money.

Mr. HITCHCOCK. Mr. Chairman, I should like to ask the gentleman this question: Is it not a fact that the great banks of the East, particularly the banks of New York City, pay constantly to the rest of the banks of the country, particularly to those of the West and Central West, 2 per cent on their balances? And if they can pay that to the other banks of the country maintaining balances in New York, why can they not pay it to the Government of the United States?

Mr. NORRIS. This amendment will require them to pay it.

Mr. HITCHCOCK. Why should they have three months' exemption?

Mr. NORRIS. In answer to my colleague, I will say if you are doing business in the State of Nebraska in a bank, for instance, you can not, as I understand it, open an account in the city of New York with the understanding that the money is going to remain there only three months and get any interest from the New York bank.

Mr. HITCHCOCK. But in this case there is no understanding of that sort.

Mr. NORRIS. They will not do that; but if you leave it there long enough they will.

Mr. COCKRAN of New York. Suppose the banks are willing to pay for a deposit of less than three months. Would you prevent the Secretary of the Treasury from taking the interest payments which they are willing to make?

Mr. NORRIS. No, sir; I would not.

Mr. COCKRAN of New York. Your amendment would.

Mr. NORRIS. If it would I should like to change it, if it were practicable. I confess, however, that it seems to me to be unreasonable to expect interest for a short-time deposit like that, and the amendment of the gentleman from Mississippi would not only be unreasonable, but require an impossibility.

Mr. COCKRAN of New York. If you leave it to the free competition of the banks, you have the amendment of the gentleman from Mississippi [Mr. WILLIAMS].

Mr. NORRIS. But before the banks have got through bidding the three months will have expired.

Mr. COCKRAN of New York. During that time your amendment would be operative, then, without being adopted. You would not need it during the first three months, according to you.

Mr. NORRIS. You would have to have some rule, some length of time during which the banks would be allowed to make the bids, and there would have to be some advertisement, some rules or regulations providing some method by which the banks could make those bids and have them considered by the Secretary of the Treasury.

Mr. HUGHES of New Jersey. Would it be possible to have a prevailing rate of interest?

Mr. NORRIS. I do not know about that, as far as the rate of interest is concerned. I do not claim to be infallible on that. It is a very easy matter to change it if the rate of interest is not right.

[Here the hammer fell.]

Mr. SHERLEY. Mr. Chairman, in all of this discussion there has been one fact overlooked, which is brought out by the question that was asked a moment ago: Why is it that the national banks can not pay 2 per cent for the money of the Government when they are willing to pay 2 per cent for other people's money? The answer to that lies in this fact, and it presents the real difficulty in regard to the amendment of the gentleman from Mississippi [Mr. WILLIAMS], that when a bank borrows money from the Government it is required as a condition precedent to have bonds on deposit amounting to the total of the deposit made by the Government. Now those bonds bear usually 2 per cent interest. They now invariably have a price greater than their face value. That makes it follow—and it is a curious problem in mathematics, and I want to say that the gentleman from Connecticut [Mr. HILL] was right, and it is demonstrable—that these communities where the rate of interest is lowest would be able to bid most for Government moneys.

Mr. HILL of Connecticut. That is absolutely true, and it would strip every country bank in the United States of every dollar of its Government deposits.

Mr. SHERLEY. Those communities where the interest rates are highest could pay the least. I am in favor of the amendment offered by the gentleman from Mississippi [Mr. WILLIAMS], because, as I understand it, that amendment requires the Secretary of the Treasury to obtain interest on Government deposits, but gives him the discretion to fix the rate and determine the amount that shall be deposited in different localities. Now, if you make a hard and fast rule, like that suggested by the gentleman from New York [Mr. COCKRAN], that the deposit must be made in that bank that offers the most interest, then you will have the condition suggested by the gentleman from Connecticut [Mr. HILL], of having all the banks outside the money centers stripped of deposits and that money congested in New York and other large bank centers.

Mr. WILLIAMS of Mississippi. I think the gentleman is laboring under a misapprehension. My amendment, as well as that offered by the gentleman from Nebraska, involves the idea of competition for the money, although it limits the amount that may be given. If the gentleman will permit me in his time, I want to suggest that the gentleman from Nebraska in his amendment gives the money to the banks for three months free. Under that amendment, of course, banks could keep the money eighty-five days and then send it in and then get it again and keep it another eighty-five days.

Mr. POWERS of Maine. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Kentucky yield to the gentleman from Maine?

Mr. SHERLEY. I will yield for a question.

Mr. POWERS of Maine. I thought the gentleman was through.

Mr. SHERLEY. Mr. Chairman, as I understand this amendment, it permits the Secretary of the Treasury some discretion as to where the money shall be deposited. For that reason I am in favor of it. I do not believe any man can justify a system that permits the Government's money to be loaned to these banks free. But if the amendment of the gentleman from Mississippi does not accomplish that reform, certainly this House has a labor ahead of it in that direction that should be speedily undertaken.

In conclusion, I want to say another word. This debate ought to be unnecessary. We are running our Government finances on the wrong plan. Every now and then some man talks about the Government being rich because it has money in

the Treasury. No government ever had money of its own. Every dollar belongs to the people, and it should not have a single dollar more than is necessary for a fair working balance necessary to carry on the business of the Government. [Applause.] What we need to-day is a method to make our revenues absolutely balance our expenditures. And I hope that will be the policy in the future. [Applause.]

Mr. MACON. Mr. Chairman, I received recognition from the Chair a few minutes ago to offer an amendment. At that time the Chair suggested that I wait until after the amendment of the gentleman from Mississippi [Mr. WILLIAMS] had been disposed of. Since hearing the discussion upon the amendment offered by him, I am satisfied that my amendment would be objected to, even by some Members on this side of the House, because it seeks to fix the rate of interest. I seek in the amendment I propose to offer to fix the rate of interest whenever money is deposited in a depository by the Secretary of the Treasury at the rate of 3 per cent per annum. But I favor the amendment offered by the gentleman from Mississippi, in the absence of the adoption of the one I offer, because I think the money of the Government belongs to the people, as the gentleman from Kentucky has well said, and that it should not be deposited by the millions of dollars in the various institutions, known as banks, free of any interest whatever, where the people, the real owners of the money, going to these banks to borrow their own money are charged a large per cent of interest. For instance, take the national banks of New York. If they could get a hundred thousand dollars from the Secretary of the Treasury, as they can under existing law, free of any interest whatever, and a citizen, one of the prime owners of the money, wants to borrow it from the bank he must pay a large rate of interest before he can do so. Therefore, sir, it is unjust to the real and true owners of the money to allow national banks to hold their money without paying interest therefor, and then require them to pay a large rate of interest, sometimes as high as 10 per cent, when they want to borrow it for a short period of time. Therefore, sir, I urge this body, in so far as my humble voice will be permitted to prevail, to call a halt upon the question now, and change the law so that national banks shall be required to pay interest upon the people's money whenever it is deposited in them.

I do not think that any aggregation of capital should enjoy for a moment the special privilege of obtaining money from the Government to use, free of interest, because it happens to be selected as a United States depository. I believe, sir, that the banks ought to stand just as individuals. I believe they ought to have the same right to obtain money on deposit, with a like character of security, that individuals could obtain it upon, and no more.

In other words, Mr. Chairman, I am opposed to special privileges. I do not care when or where they are extended or to whom they are extended. Therefore I submit, gentlemen, without regard to whether we are here as Republicans or Democrats, we ought to meet upon a happy ground and say that we will see to it that henceforth when the banks of this country use the money of the people they shall pay interest therefor. [Applause.]

Mr. WADE. Mr. Chairman, I do not wish to take the time of the House to discuss this matter at any length, especially in view of the fact that no remarks have been made as yet that I have heard which seriously oppose the amendment. I do want to say, however, that out in our State this matter was discussed some years ago. We had there a system by which the State funds were kept in the banks of the State without any interest, and the people, regardless of party, entered their protest against it. Men who were paying 6 and 7 per cent on their loans thought that it was not right that the banks should hold the money which was collected from them by way of taxation, pay no interest therefor, and then perhaps loan it to them in the regular channels of trade. The result was that a law was passed by our legislature, which it is needless to say is usually Republican, requiring a rate of interest to be paid on all State deposits. That represented the sentiment of the people in our State regardless of party. I do not think to-day in the State of Iowa you could find a man who would favor the revocation of that law. It seems to me that with proper limitations and proper securities, which are fair between the banks and the Government, that all the money that is accumulated which is not needed for ordinary expenses of the Government ought to be placed in the banks at interest; whether that be high or low depending on conditions that prevail. I fail to see why it is not a plain business proposition. I do not believe in anything arbitrary, I do not believe in anything that is unjust, but I think a good, fair rate of interest ought to be demanded on every dollar that is taken out of the Treasury and put into the national banks to be loaned out to

men who are engaged in business and from whom interest is collected. I can not see any just reason for the continuance of the system which is prevailing at the present time, under which more than \$100,000,000 is held by the banks without one cent of interest.

Mr. POWERS of Maine. Mr. Chairman, I rise to ask unanimous consent that the amendment offered by the gentleman from Mississippi [Mr. WILLIAMS] be again read.

The CHAIRMAN. Without objection, the Clerk will again report the amendment.

There was no objection, and the Clerk again reported the amendment.

Mr. POWERS of Maine. Mr. Chairman, now, as I understand it, there is a large amount of money at present deposited in national banks. Is it proposed that the Secretary of the Treasury shall withdraw that money from those banks at once unless those banks will pay interest? And if it is not, when does this amendment propose that he shall withdraw it?

Mr. WILLIAMS of Mississippi. The amendment says, "All national banking associations designated for that purpose by the Secretary of the Treasury shall be depositories of public moneys, under such regulations requiring payment of interest on amounts deposited, limiting the amount to be deposited in any one bank bidding in competition for the same." Now, then, that would put these banks in the attitude of bidding for the deposits which they now retain, except, of course, in so far as there may be some obligation of contract between them and the Treasury. I do not know about that.

Mr. POWERS of Maine. I think so.

Mr. WILLIAMS of Mississippi. Then the Secretary, in his discretion, can call it out.

Mr. POWERS of Maine. Then you do not prescribe in the amendment any time in which he shall make this call for the money?

Mr. WILLIAMS of Mississippi. That is left to him because it is said "Under such regulations as may be prescribed by him."

Mr. POWERS of Maine. Well, I do not understand the amendment; that they were to bid for the payment of interest—

Mr. WILLIAMS of Mississippi. "Under such regulations as may be prescribed" by him, which will leave to him to designate the time at which he would begin and where he would deposit anew, but if the gentleman thinks this is in the slightest degree unclear, then, after we shall have adopted this amendment, I shall have no objection to having the gentleman—or doing it myself, if he wishes it—put in language to say that at a certain date after the passage of the bill the moneys in the national banks on deposit shall be withdrawn unless the banks shall become entitled to them under this provision.

Mr. HILL of Connecticut. Mr. Chairman, I would like to ask a question of the gentleman from Mississippi. Does your limit in any one bank refer to a fixed amount or is it to be prescribed by the capital of the bank or in some other way?

Mr. WILLIAMS of Mississippi. It is to be prescribed under regulations of the Secretary of the Treasury, and he is to prescribe the amount which any one bank may get. Now, he may prescribe a certain number of dollars or he may prescribe a certain percentage of the bank's capital.

Mr. POWERS of Maine. Suppose the banks that have this money now do not pay the percentage that is required to be paid, then the Secretary must withdraw it. And when—

Mr. WILLIAMS of Mississippi. I did not hear the gentleman.

Mr. POWERS of Maine. Suppose the banks which have this money to-day will not pay the amount that the Secretary prescribes, then he must withdraw it from circulation.

Mr. WILLIAMS of Mississippi. Yes; but if you think it better to fix a time at which to do it I will do that, or he can do it under the amendment as it stands; but I can state that the gentleman does not need to be in the slightest degree alarmed.

Mr. POWERS of Maine. I am not alarmed.

Mr. WILLIAMS of Mississippi. They will pay; they will pay something in the way of interest to keep the money.

Mr. POWERS of Maine. Has he considered what effect it might have upon the business of the country to have that money withdrawn from circulation?

Mr. WILLIAMS of Mississippi. Why, if all that money was withdrawn at once I suppose it would cause a banker's panic, but I do not presume for one moment that the banks would refuse to pay interest upon it, and if they did refuse to pay upon it then it would be because it did not pay the banks to pay any interest and if that was true of the banks which now have it it would be true of all the other banks in the country and in that event the highest bid to the Treasury would be nothing and it would stand where it is. Besides that, if a

bank surrendered its deposits rather than bid, it would get back its bonds now deposited—

The CHAIRMAN. The time of the gentleman from Maine has expired.

Mr. POWERS of Maine. I ask for a few minutes more. I did not think I had consumed five minutes.

The CHAIRMAN. The gentleman from Maine asks that he may continue for five minutes. Is there objection? [After a pause.] The Chair hears none, and it is so ordered.

Mr. POWERS of Maine. I do not wish the gentleman from Mississippi to understand me as being opposed to the proposition that banks should pay interest on Government deposits. I have always believed that except as to certain quick accounts there should be interest paid, especially if they remain a long time and reasonable notice of withdrawal is given and were deposited with this understanding as to time and notice.

My objection to his amendment, if I have any, is this: That instead of regulating this matter of such great moment by an amendment injected here in the bill in a section which was intended simply to unlock money, and which commends itself, I believe, to the judgment of the gentleman from New York, as it did to myself, it should be in a separate bill, carefully considered by the appropriate committee. This amendment may make a radical change in what has been for many years the practice and policy of the Government. An amendment affecting, as it might, the business of the country should be carefully considered and should have such safeguards that the withdrawal of large sums now in the banks of the country would not seriously disturb the monetary interests of the country, and I doubt it very much if the gentleman's amendment covered all these details.

Mr. WILLIAMS of Mississippi. Why, the amendment leaves it to the Secretary of the Treasury himself to prescribe the regulations. But I would be perfectly willing, and I state it now before the House, to withdraw the amendment and to have a separate bill brought in if the gentleman can assure me that the Committee on Banking and Currency will consider and favorably report one.

Mr. POWERS of Maine. I can only say in reply to that, that the gentleman from Maine is not chairman of that committee and that he is not one of those who control legislation very especially in this House.

Mr. WILLIAMS of Mississippi. I have such utter confidence in his absolute sincerity that if the gentleman from Vermont will tell me the Committee on Banking and Currency will do that thing I will withdraw this amendment.

Mr. POWERS of Maine. I have not the honor of representing or coming from Vermont; I am from Maine, and I will say this, that whenever any such bill is presented or referred to the Committee on Banking and Currency—and I have never seen one since I had the honor of being a member of that committee—I will carefully consider it; and I will state further to the gentleman from Mississippi, as far as my individual views are concerned, I am confident shall favor such legislation as shall seem wise and just to all interested.

Mr. WILLIAMS of Mississippi. The gentleman is mistaken about that. I introduced such a bill and it is before the committee.

Mr. POWERS of Maine. It is not before the Committee on Banking and Currency; it certainly has not been called to my attention if it is there.

Mr. WILLIAMS of Mississippi. A gentleman here tells me it was in some manner referred by the Speaker to the Committee on Ways and Means, after I had indorsed on it a reference to the Committee on Banking and Currency. I got a vote in the Committee of Ways and Means, but did not get it through. I called up all my bills in that committee.

Mr. POWERS of Maine. Are you not a member of the Committee on Ways and Means?

Mr. WILLIAMS of Mississippi. I am; but I am a minority member, and about the smallest minority you ever saw.

Mr. POWERS of Maine. I assume there is much in what the gentleman says, and perhaps that minority has been even growing a little smaller.

Mr. WILLIAMS of Mississippi. I think it has, much to my regret.

Mr. DANIELS. Mr. Chairman, now in regard to the interest proposition now under discussion: To my mind it has no place in this bill, but I would like to ask some gentleman on the other side a question when they make a statement that it is a business proposition to draw interest on money deposited in any bank. The gentleman from New York [Mr. COCKRAN] said if he should deposit a large sum of money in a national bank he would expect and would draw interest on the amount. Now, then, the condition under which I or any man here would deposit money

in a national bank or any other bank would simply be an individual proposition. There would be no special guaranty as to the payment of that fund back with the interest. Now, where the Government deposits money the bank is designated as a depository, and in order to be recognized as such the first thing they have to do is to go into the market and buy United States Government bonds. These bonds as a rule only draw 2 per cent, and they have been at a premium of as much as 8 and 10 per cent.

No man here who has had anything to do with banking believes that a 2 per cent Government bond is worth any premium whatever; and it would never have been at a premium if it had not been that the national banks had to buy them to secure United States funds. Now, then, if this proposition prevails every national bank in the country outside of the great financial centers would be deprived of the money. The little bank in the town in California where I live paid 9 per cent premium for the 2 per cent bonds in order that they might have \$100,000 of Government money deposited in that bank. Now, gentlemen, if they have to pay interest they never could afford to pay interest on the money and pay premium for the 2 per cent Government bonds. If the Government should issue their bonds to build the canal at 2 per cent they could never be floated if it were not for the banks being compelled to buy these bonds in order to secure the Government money.

It has been said that this bill provides for the repeal of the manner in which the moneys collected for customs receipts has been handled for years. Is there any reason why that money collected for customs duties is any better, any cleaner, any more valuable than that collected from any other source? Why should not that be deposited the same as any other funds? My friend here has said that if he had his way there would be no surplus above the ordinary expenses of running this Government to deposit in the national banks.

Mr. HILL of Connecticut. Except the regular working balance.

Mr. DANIELS. Except the regular working balance. I say that can be relieved without any legislation. Turn the financial affairs of this Government over to the Democratic party and there will be no surplus in the Treasury. [Laughter.]

Mr. HILL of Connecticut. One word before the vote is taken on the amendment, if I may be pardoned.

In 1836 the policy of paying interest to the Government was adopted. And in 1836 the practice of the Government—the unfortunate practice of the Government—was to charge up bad debts in consequence thereof, and that continued during the years down to 1866, when Government bonds were required as security for deposits. If the gentleman will look at the reports of the Treasurer of the United States, he will find almost every year from 1836, when the practice was begun of making deposits in banks and charging interest upon it, losses began to be incurred. It went right straight through. Now, this question has been raised—

Mr. WILLIAMS of Mississippi. If the gentleman will permit me.

Mr. HILL of Connecticut. Certainly.

Mr. WILLIAMS of Mississippi. If the gentleman will permit for a moment that this present system of depositing Government bonds by national banks, bought at a premium, is to be compared with the system of depositing at that time when these losses were incurred?

Mr. HILL of Connecticut. No; I do not, because the deposits were secured then by miscellaneous bonds or personal security, and what I am afraid of is if a new policy is adopted now of loaning out the deposits of the Government it will ultimately result in either no security at all or else in the acceptance of miscellaneous security.

Mr. WILLIAMS of Mississippi. We can take care of that when we get to it.

Mr. HILL of Connecticut. The gentleman shakes his head and says "No." Very well; I accept that proposition, and will now put to him the other alternative, that it is impossible for a bank that does not receive the deposits of other banks or get money at 1½ or 2 per cent in that same way, as the reserve banks of the country do, to take these funds at 3, 4, 5, 6, 7, or 10 per cent and invest them in a low-rate Government bond, which he says he will insist upon having.

Mr. WILLIAMS of Mississippi. The law so states it; I do not.

Mr. HILL of Connecticut. I understand that; but I understand he agrees to its continuance. It is impossible for such a bank to hold a Government deposit and pay interest on it, except at a loss. The gentleman smiles.

Mr. WILLIAMS of Mississippi. Sometimes I look ugly, and it resembles a smile. [Laughter.] I was going to say this:

That is the case; and if a bank can't pay it, it will not offer to pay it.

Mr. HILL of Connecticut. Exactly. That is just the point I am coming to, confirmed by the statement of the gentleman from Mississippi [Mr. WILLIAMS]—that the country banks will not want it, but that a 1½ or a 2 per cent money market will want it, and can pay for it, and can afford to do so under your secured system, and that every dollar of deposits now scattered from Maine to California will ultimately center, under the gentleman's proposition, in the 1½ and 2 per cent money markets.

Mr. SHERLEY. Will the gentleman yield for a question?

Mr. HILL of Connecticut. Certainly.

Mr. SHERLEY. Do you believe that in money markets where 1½ and 2 per cent money can be had that this deposit can be made and interest paid so as to give profit to a bank?

Mr. HILL of Connecticut. I think it is possible that at 3 or 4 or 6 per cent, by taking a Government deposit, and putting up Government bonds, they can pay interest on it and make a profit, but the lower rate money markets could outbid them.

Mr. SHERLEY. Would you need mathematics to show that you could do it at 4 per cent, with the bonds at the price they are now?

Mr. HILL of Connecticut. It will be utterly impossible to have banks in the higher rate sections to compete with the banks in the low rate call money markets. Government security with interest means the concentration of the Government funds in the—well, I won't say that, but it is pretty close to Wall street.

Mr. PERKINS. It is pretty close to Wall street?

Mr. HILL of Connecticut. Yes; but I will not say that, but will say, in the call money market, wherever it may be. As a demonstration of that fact we had a protest against that two or three years ago from a western community, where every bank in the community protested on the ground that they would lose all their deposits. Of course it was mathematically certain that they would lose them—

Mr. WARNER. Did the gentleman ever have a suspicion that where the Government allows a bank to use its money without paying interest on the deposit of Government bonds drawing 2 per cent, the Government was paying that bank 2 per cent per annum for holding its deposits? When the banker goes and buys a hundred thousand dollars of Government bonds, and deposits them, and draws 2 per cent on them, and immediately has the Government deposit of \$100,000, the amount of its bonds, has it not occurred to the gentleman that the Government is paying the banker 2 per cent interest every year?

Mr. HILL of Connecticut. No; it is not, according to the gentleman, doing any such thing.

Mr. WARNER. It pays back the money to the bank, so that the bank is out nothing.

Mr. HILL of Connecticut. In the first place, the bank that puts up the bonds has got to pay now a premium of 4½ per cent besides putting 4, 6, or 10 per cent money into a 2 per cent bond investment.

Mr. WARNER. And can sell out for the same amount to anyone else, if they want to unload.

Mr. HILL of Connecticut. In the second place, if the law is carried out, they will have to hold a reserve, if they are in the city, of 25 per cent, and if they are in the country, a reserve of 15 per cent, on which they can get no interest, because they can not loan it out, and I have a suspicion that the Government is not paying the bank anything for taking the money.

Now, do not make any mistake in regard to my position about this amendment. If you are going to vote to pay interest on loans secured by Government bonds, then I have no serious objection to the language of that amendment. I say as a banker myself, with a very limited experience, that I think you will make a mistake to require Government bond security supplemented by an arbitrary interest rate, because, in my opinion, you will strip the rural sections of the country of the Government deposits; and, if I am not mistaken, the experience in moving the crops for the last two years in this country has demonstrated the wisdom of Government deposits, abundantly secured, absolutely secured beyond question—has demonstrated the wisdom of the distribution of those deposits broadcast throughout the country, rather than to concentrate them in the low-rate call-money market. If you want to vote for interest, if you want to vote to take these deposits from the country banks and concentrate them in the call-money markets, this is a good way to do it. I have no criticism to make upon the language. I am not at all sure that I am myself personally opposed to that result. I would be if I lived west of the Ohio River, and I would not be if I considered solely the first profit to the Treasury and overlooked the welfare of all sections of the country. I believe it is an unwise move, but I am glad it

is being discussed as a nonpartisan proposition, and I hope the rest of the bill will be considered in the same way.

Mr. COCKRAN of New York. Mr. Chairman, let me ask the gentleman from Connecticut, does he mean to take the position before this House that the payment of interest on Government deposits would be unsound financially?

Mr. HILL of Connecticut. I mean to take this position, that the payment of interest on Government deposits, if it was going to result in producing unfortunate conditions for the country as a whole, would be unsound finance.

Mr. COCKRAN of New York. That is a most profound truth. [Laughter on the Democratic side.] After that luminous contribution to this debate I must repeat the question.

Mr. HILL of Connecticut. The gentleman will give me the credit for simply trying to distinguish between the Treasury Department and the country at large. I am simply making a mathematical—

Mr. COCKRAN of New York. Will you explain the distinction? I confess I do not understand it.

Mr. HILL of Connecticut. I have stated it.

Mr. COCKRAN of New York. I want to know where the gentleman finds any justification for treating funds owned by the Treasury Department differently from funds owned by anybody else, so far as their operation in the channels of trade is concerned. I want to know where the distinction is, and where the justification is, because I confess that I am somewhat mystified, not only by the gentleman's last answer, but by all the rest of his splendid rhetoric.

Mr. HILL of Connecticut. I do not think it is the highest function of government to collect interest. I do not think it is the highest function of government to loan money. Personally, I am sorry that there is any surplus to loan. What I think we ought to do is to have as nearly as possible an equilibrium between receipts and expenditures; but if we have a surplus, and some disposition is to be made of it, I would treat it as a business proposition.

Mr. COCKRAN of New York. As a business proposition?

Mr. HILL of Connecticut. Certainly.

Mr. COCKRAN of New York. Is there a single owner of extensive funds in the United States to-day who maintains large balances in any institution who does not insist upon interest?

Mr. HILL of Connecticut. Why, there is all the difference in the world.

Mr. COCKRAN of New York. I have not discovered the difference since my friend came down the aisle.

Mr. HILL of Connecticut. All the difference in the world. The private depositor does not require bond security for his deposit in a national bank. One bank does not require security of another bank. That is the distinction that makes it impossible to do it.

Mr. COCKRAN of New York. Impossible to do what?

Mr. HILL of Connecticut. Impossible for the bank to pay a fixed rate of interest to the Treasury, with varying rates of interest in different sections of the country.

Mr. COCKRAN of New York. Why should the funds of a government be in any way different from the funds of any other owner?

Mr. HILL of Connecticut. I have demonstrated that in the discussion here with the gentleman from Kentucky [Mr. SHERLEY] a few days ago. It takes a mathematical calculation to show it. I think there are a sufficient number of gentlemen in the House who will accept the statement that a low-rate Government bond security, supplemented by an interest charge, will withdraw the money from the country banks and put it in the low-rate money market.

Mr. COCKRAN of New York. I repeat the question again. Granting that there must be additional security, how do the funds proceeding from the Government differ from the funds coming from anybody else? Why should there be a different rule governing their deposit?

Mr. HILL of Connecticut. They require a specific form of security.

Mr. COCKRAN of New York. Then I will ask the gentleman this to get away from the evasion. Will the gentleman state now, to the House, on the faith of his duty as a Representative to the people, as a Member of this Congress and a banker, that he believes that it is unsound finance to ask this interest on the Government deposits, interest not fixed arbitrarily, but fixed by the banks themselves?

Mr. HILL of Connecticut. I think it would be unsound to require interest on a specific form of security that makes it impossible for the public generally to share in the proposed disposition of the funds. Any proposition that would confine it to specific localities makes it unfair.

Mr. COCKRAN of New York. I do not want any "ifs" about

it. The gentleman puts in an "if" which makes me uncertain as to the ground I am standing upon.

Mr. HILL of Connecticut. I have no doubt about that. [Laughter.]

Mr. COCKRAN of New York. Let me ask the gentleman from Connecticut what did he mean by stating that this proposition if it came in separately would be a proposition of merit, but that he does not want it injected into this discussion?

Mr. HILL of Connecticut. The gentleman from New York misunderstood me. I said the proposal was of so much importance that it ought to be before the Committee on Banking and Currency and be considered by that committee. I am not a member of the Committee on Banking and Currency. I think it should go before that committee and be thoroughly and fully considered.

Mr. COCKRAN of New York. I understood the gentleman to state before the House, or before the Committee of the Whole, that in his judgment a law that the banks should compete among themselves as to whether they could afford to pay interest on these deposits, under conditions to be regulated by the Secretary of the Treasury, would be unsound finance?

Mr. HILL of Connecticut. I think the proposition to pay interest with a specific form of security—

Mr. COCKRAN of New York. Under the existing conditions the gentleman from Connecticut thinks it would be unsound finance?

Mr. HILL of Connecticut. I think it would be.

Mr. SHERLEY. Would the gentleman be willing to have this bill recommitted so that the committee can consider it?

Mr. HILL of Connecticut. I would be willing to have the amendment withdrawn and sent back as a separate proposition, to be considered on its merits.

Mr. SHERLEY. No; but considered in connection with the bill.

Mr. HILL of Connecticut. I do not think it belongs in the bill. I do not think it should be a part of the bill.

Mr. ADAMS of Pennsylvania. Mr. Chairman, the gentleman from New York [Mr. COCKRAN] has pressed home very hard the question of what the difference is between the money belonging to an individual and the money belonging to the Government. I think there is all the difference in the world. A man who owns money holds it for the purpose of making more money and keeping it engaged in active business. The Government of the United States, with whatever money happens to be in its possession, holds it for no such purpose whatever. It has been accumulated, sometimes accidentally, because the revenues of the Government happen to exceed the expenses. That money, under the laws of the country, is kept in circulation in order to oil and keep in motion the wheels of business, and the first duty and function of the Government is to see that no action on its part should in any way interfere or embarrass the commercial and credit relations of our country. It is for this reason that when the revenues happen to exceed the expenditures of the Government and there is a surplus if that money were allowed to lie locked in the Treasury of the United States business would be seriously embarrassed. Therefore it is for that reason and with no view of making money or profit out of the funds of the people, of which the Government is the custodian, that it deposits that money in the banks of the country at large.

As I say, if it did not do so the circulating medium of our country would be contracted, and therefore it is a very serious proposition whether any action should be taken to force the Government into a line of action that might contract the currency and thereby embarrass the circulating medium of the country. It is not for the reason of making money. That is the difference between the money of an individual and the money of the Government of the United States. One is owned and used for profit. The other is not owned and used for profit. The money is held for the uses of the country. There is no reason why the Government should embarrass the commercial relations of the country by taking any step in order to make a small profit on these deposits which may lead to such serious results that it would embarrass the business of the whole country. The money of the Government is not held for profit, and the functions of the Government are not to make money on the funds of the people, but the function is to keep the circulating medium in motion throughout the country, in order that business may not be embarrassed in any way.

Mr. COCKRAN of New York. The gentleman says that the function of government ought not to be to make a profit on its money.

Mr. ADAMS of Pennsylvania. I do.

Mr. COCKRAN of New York. Then why should we allow the

banks to make a larger profit on it than they are willing to make by open competition between themselves?

Mr. ADAMS of Pennsylvania. We do not put the money in the banks for the purpose of the banks making a profit.

Mr. COCKRAN of New York. But they do make a profit.

Mr. ADAMS of Pennsylvania. That may be. We put the money in the banks for the purpose of not contracting the currency.

Mr. WILLIAMS of Mississippi. Does the gentleman contend that contracting the currency ever hurt anybody in the world?

Mr. ADAMS of Pennsylvania. I do; most assuredly.

Mr. WILLIAMS of Mississippi. The gentleman does?

Mr. ADAMS of Pennsylvania. I do; and I will say in answer to the gentleman from New York [Mr. COCKRAN] that the very object of the first section of this bill which we are now discussing is because in times of stringency, when we had banks that were hampering the progress of the country, this money was locked up in the Treasury, and when the country appealed to the Secretary to release it he said he could not do it because the revenues received in the Treasury from customs duties could not be released. The gentleman is answered by that very fact, and the object of this section of the bill is to enable the Secretary of the Treasury to deposit the customs receipts in order that stringency may be relieved in times of panic.

Mr. COCKRAN of New York. I would ask the gentleman how a contraction of the currency would be promoted if the banks paid interest on the money deposited? Would not the funds be just as available in commerce if the banks paid interest on them as though they did not?

Mr. ADAMS of Pennsylvania. It has been shown by the gentleman from Connecticut [Mr. HILL] that the banks in purchasing the bonds at the premium at which they are bought can not afford to pay interest.

Mr. COCKRAN of New York. They can decide that for themselves.

Mr. ADAMS of Pennsylvania. They can not decide that for themselves.

Mr. COCKRAN of New York. Oh, the gentleman will decide that for them?

Mr. WILLIAMS of Mississippi. They do not have to pay it if they can not pay it, and they do not have to bid for it if they can not bid, but if they do not give anything at all, they keep it without anything.

Mr. ADAMS of Pennsylvania. As I understand the gentleman's amendment, he insists that they must pay interest.

Mr. WILLIAMS of Mississippi. It must go to the one who bids the highest rate of interest. Accordingly, if all of them bid nothing, they are paying nothing.

Mr. ADAMS of Pennsylvania. But you say it must be paid. As I understand your amendment, you say some interest must be paid.

Mr. COCKRAN of New York. And that is done by competition.

Mr. ADAMS of Pennsylvania. Then I think it harmless. [Laughter on the Democratic side.]

Mr. HEMENWAY. I would like to ask the gentleman from Mississippi—I understand the amendment offered is by the gentleman from Mississippi—if his proposition is that the bank paying the highest interest rate shall have the money?

Mr. WILLIAMS of Mississippi. The banks in the order of their bids. Of course there would be the highest, which would get the amount fixed by the Secretary of the Treasury that should go to any one bank, and the next highest would get a like amount, and the next highest a like amount, and—

Mr. HEMENWAY. I want to ask the gentleman if his plan would not result in taking the Government's deposits almost altogether to the city of New York and the great cities of the country? The banks in the rural districts do not have the Government bonds to deposit as surety, while the money centers, where the great banks and trust companies are interwoven with each other, have the Government bonds to secure loans and would have all the advantage of the banks in the Central and Southern States.

Mr. WILLIAMS of Mississippi. They all have to buy the bonds first or last. In my opinion it would result exactly in the opposite way. Instead of the money going there—i. e., to the centers, as it does now, and I say that notwithstanding the sardonic and statuesque laughter of the gentleman from Connecticut—I say that those parts of the country where the banks can use the money to the best advantage and at the highest rate of interest would be the parts of the country where the banks would make the highest bids of interest for the Government's money. The gentleman from Connecticut, who is a financier and I am not, contends, however, that those parts of the country where the banks are able to get the least profits upon their

money, or the least rate of interest, are the parts of the country that necessarily could bid the highest. Now, we are just at antipodes upon that proposition, and I give the gentleman from Indiana both theories.

Mr. HEMENWAY. Now, if the gentleman will permit, I desire to put another question. I believe I have heard the gentleman himself make the statement, if not I have heard it from many Members from that side of the House, and especially I heard it at New Orleans some time back, that the South no longer had to ask New York for money with which to move the crops. I find in going over this list of the money deposited that a large amount of the Government's surplus funds is deposited in the Southern States, and I understand that they did not have to call upon New York for money to move their crops during the last season.

Mr. WILLIAMS of Mississippi. Not to the same extent.

Mr. HEMENWAY. I know that from the Central States, where large sums of Government money are deposited, we move our crops without calling upon New York for money, and I know that was generally done through the South and the Central and Western States. Now, I can understand why a gentleman representing the State of New York does not like that condition of affairs and would like to have the country again go to New York for money with which to move the crops. I put this proposition: Is it not better that the Government, when it has a surplus, to so distribute the surplus as to benefit the people and furnish cheap money with which to move their crops than to try to secure 2, 3, or 4 per cent with it from New York banks or Philadelphia banks or Chicago banks, and make the people of the country go to those banks, as they did in times gone by, to get the money to move their crops with? And I say to the gentleman in seeking to hit the banks he will hit the people in the Southern and Central States and in the West a good deal harder lick than he will hit the banks if he undertakes by his amendment to change this condition of affairs.

Mr. WILLIAMS of Mississippi. Mr. Chairman, the gentleman from Mississippi is not "trying to hit the banks." That is the first proposition. The gentleman from Mississippi, if he knows himself, never tries to hit anyone unless whoever it was had first struck or attempted to strike the gentleman from Mississippi, or looked like he was going to do it. What the gentleman from Mississippi is trying to do is to help the Government, and through the Government and back of the Government to help the people.

Mr. HEMENWAY. The people are the Government.

Mr. WILLIAMS of Mississippi. I beg the gentleman's pardon. The people were never the Government and the people never will be the Government, outside of a little township, as in ancient Greece, perhaps. Unfortunately for the people, the Government in this country is composed of a certain number of politicians in one House and a certain number in another, and, no matter what party is in power, another at the opposite end of the Avenue to preside over them in a general way.

The money that goes into the Treasury is the money of the people, and I want it to benefit them. Now, the trouble as to the gentleman's question is that he assumed something which I do not admit. He assumes that if this amendment goes into operation that the depositories getting the money upon competition of interest bids will be in New York and in the great money centers. The gentleman knows this country well enough to know that if that were true, and if this could be worked to benefit those centers, that those bankers would have had their lobbyists here long ago working for exactly this sort of legislation. [Applause on the Democratic side.] The very fact that they are opposed to the position taken by me and agree with the gentleman is proof positive of the fact that the gentleman is mistaken. The fact that New York in November, 1903, got thirty-nine millions of deposits under the present system exposes the fallacy of his contention. Let me tell the gentleman something. I do not believe for one moment that the bank in my little town, which can use money with its customers upon gilt-edge security at 8 or 10 per cent, building up the magnificent new growth which has taken place all over the southern country, could not outbid any bank in the Northeast that can not use its money among the people there for over 4 or 5 per cent. Gentlemen can figure until gentlemen are dizzy in the head, and if they seem to establish the opposite by figures, they would only establish the fact that their figures do not tell the truth. I say that you know where this money will go. The security being the same everywhere, it will go to whoever will bid most for it, and they will be those who can use most of it at a profit; and they are the banks that do business in communities of high interest.

Mr. HEMENWAY. The gentleman forgets that towns like his and other rural points do not have the Government bonds to offer as security, and for that reason would not have a fair

chance in the bidding. As I was saying, the South has had some experience in the last few years. I heard down in the city of New Orleans a short time ago gentlemen getting up and boasting that they had not been obliged to go to New York to get money to move their crops. I find they have about \$700,000 of the Government money deposited in Louisiana. I find in Arkansas there is a large amount of the Government money deposited, and through the Central States and the Western States a large amount of Government money is deposited; and now for the first time in our history—

Mr. WILLIAMS of Mississippi. You do not think I am afraid it will help the South—the South can not be helped or hurt without helping or hurting me.

Mr. HEMENWAY. You gentlemen of the South and you gentlemen of the Western States know that for the first time in our history we have been able to move our crops without going to New York for money. Now, then, here is an effort to put the Government into the money-lending business, into the brokerage business, and saying: "Here we are; we put up our money and say come and bid, and the highest bidder gets it." Do gentlemen think that that is a proper function for our Government?

Our surplus money in the Treasury ought to be used to the best interest of the people of the United States, and if we can help the people of the South by sending a little of the money South without having them to go to New York for money, or if we can send money to the Central States and enable them to move their crops without sending to New York for money, why not do it? It is a great deal better for the Government to help the people that way than to go into the brokerage business and hang out three gilt balls and say: "Come on here, the highest bidder gets the money of the Treasury of the United States."

Mr. WILLIAMS of Mississippi. Does the gentleman seriously contend that the South has been able to move its cotton principally, or in any measure to be considered, by the use of the money in the national-bank depositories?

Mr. HEMENWAY. To a great extent.

Mr. WILLIAMS of Mississippi. Why was it not to a greater extent the money deposited from other people? That amount of money that the gentleman states—\$700,000 in Louisiana—would not handle the southern cotton crop for two days.

Mr. HEMENWAY. That is only in one State.

Mr. WILLIAMS of Mississippi. It would not handle the cotton crop for two days in any single State of the southern territory.

Mr. HEMENWAY. But there are a number of Southern States that have depositories.

Mr. WILLIAMS of Mississippi. Does the gentleman seriously contend that the prosperity which has enabled the South to make money and handle its own crops is due to this system?

Mr. HEMENWAY. What I was saying was that we ought not to go into this brokerage business—hanging out three balls—indicating that we are going out into the money-lending business.

Mr. WILLIAMS of Mississippi. Does the gentleman mean to say that we are not already in the money-lending business, except that we loan now without interest?

Mr. HEMENWAY. The money under this system is so placed that when the Government needs it it can be withdrawn, and it has gradually been withdrawn. It is placed in such a way that the people can get it. As gentlemen know, we are not going to have a great deal of surplus to loan out in this or other ways. [Laughter on the Democratic side.] Gentlemen laugh; under your Administration we were never compelled to discuss a surplus. The gentleman seems anxious, without consideration of a committee, to put an amendment on here that has not been favorably reported by any committee of the House—

Mr. WILLIAMS of Mississippi. And never will be.

Mr. HEMENWAY. Will change a system that has been a profit to the people of the United States. The people have profited, not only by the business management upon the part of the Treasury Department, but have profited by the policies of the Republican party.

Mr. WILLIAMS of Mississippi. The gentleman's proposition is that I am trying to break down my own prosperity. Let it stand that.

Mr. ROBINSON of Arkansas. I would like to ask the gentleman from Indiana one question.

Mr. HEMENWAY. All right, go ahead.

Mr. ROBINSON of Arkansas. If I have understood you correctly, you have stated that the Southern and Central States are peculiarly the beneficiaries of this system of depositories.

Mr. HEMENWAY. Oh, no; we are getting it in about equal proportions all over the country.

Mr. ROBINSON of Arkansas. At least you have assumed that the rich prosperity which exists in those sections is due somewhat to this system.

Mr. HEMENWAY. Somewhat; yes.

Mr. ROBINSON of Arkansas. Now, I will ask you to state in that connection the amount of money at present on deposit in those depositories in the State of Arkansas, inasmuch as you have referred to that State as peculiarly in that list of beneficiaries.

Mr. HEMENWAY. Arkansas seems to have \$100,000. [Laughter on the Democratic side.]

Mr. ROBINSON of Arkansas. Will the gentleman state, in the same connection, the amount now on deposit in the State of New York?

Mr. HEMENWAY. New York seems to have \$30,000,000, and she will have it all if we have this bidding system.

Mr. ROBINSON of Arkansas. Will the gentleman now state, in this connection, how it is that Arkansas is peculiarly the beneficiary of the present system of depositories?

Mr. HEMENWAY. I should say to the gentleman that Arkansas has been very negligent in looking after her interests or she would have had more of these deposits.

Mr. ROBINSON of Arkansas. Will the gentleman yield for a further question?

Mr. HEMENWAY. Certainly I will.

Mr. ROBINSON of Arkansas. Will the gentleman state in what particular the State of Arkansas has been negligent in looking after her interests?

Mr. HEMENWAY. Why, in not asking for these deposits.

Mr. ROBINSON of Arkansas. Will the gentleman state that it has been the practice of the Government to make these deposits impartially heretofore?

Mr. HEMENWAY. Absolutely so, I understand, giving the advantage to the small banks, where they made application.

Mr. ROBINSON of Arkansas. Does the gentleman state that that system has been pursued in the State of Arkansas and in Louisiana, and other Southwestern States.

Mr. HEMENWAY. Of course I have not the record as to Arkansas, but I know, in the States that have made their applications, that the smaller banks have at all times been favored, so the Secretary of the Treasury informs me.

Mr. COCKRAN of New York. Why, clearly, the small banks are in New York and the large ones in Arkansas! Nothing can be clearer than that. [Laughter on the Democratic side.]

Mr. HEMENWAY. The gentleman from New York comes in always with his keen wit; but the gentleman from New York is behind this proposition and supporting it vigorously, evidently anxious that his banks shall pay this interest, and knowing that if this amendment passes his New York banks would get these deposits that are now scattered throughout the country.

Mr. COCKRAN of New York. As the gentleman has appealed to me—

Mr. HULL. Mr. Chairman, if the gentleman will allow me—

Mr. COCKRAN of New York. If the gentleman will kindly allow me to finish my sentence, I will say that I do not believe there is a banker in New York bursting with anxiety to pay interest on these deposits. If there is such a person, he has carefully concealed his identity from my knowledge, and I do not believe there is living to-day a person who has discovered him, except the gentleman from Indiana.

Mr. HULL. My question should have come in a few minutes ago—

Mr. HEMENWAY. And the gentleman from New York well knows that if the city banks could take from the country banks the Government deposits by paying a small rate of interest that they would loan the same money back to the country banks at a higher rate in interest and profit largely by the transaction, and that the country banks would again be compelled to borrow from New York.

Mr. HILL of Connecticut. Mr. Chairman, I move that the committee do now rise.

Mr. HULL. I simply wanted to ask a question.

The CHAIRMAN. The gentleman from Connecticut moves that the committee do now rise.

The question being taken, on a division (demanded by Mr. COCKRAN of New York) there were—ayes 93, noes 92.

Mr. WILLIAMS of Mississippi demanded tellers.

Tellers were ordered; and the Chairman appointed Mr. HILL of Connecticut and Mr. COCKRAN of New York.

The committee again divided; and the tellers reported—ayes 111, noes 105.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. DALZELL, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 4831) to improve currency conditions, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

Mr. WACHTER, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolution of the following titles; when the Speaker signed the same:

H. J. Res. 176. Joint resolution to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1904, on the 20th day of said month; and

H. R. 14468. An act to authorize the sale and disposition of surplus or unallotted lands of the Yakima Indian Reservation, in the State of Washington.

The SPEAKER announced his signature to enrolled bills of the following titles:

S. 2578. An act granting an increase of pension to Sylvester Beezley;

S. 3414. An act granting an increase of pension to Henry Wheeler;

S. 3502. An act granting an increase of pension to Joseph W. Willis;

S. 3640. An act granting an increase of pension to John S. Stevens;

S. 3329. An act granting a pension to Mary E. Strong;

S. 3175. An act granting an increase of pension to Rachel H. Coleman;

S. 2893. An act granting an increase of pension to Emanuel Morter;

S. 3033. An act granting an increase of pension to Charles B. Williams; and

S. 2745. An act granting an increase of pension to Thomas Howard.

IMPEACHMENT OF JUDGE SWAYNE.

The SPEAKER laid before the House the following resolution, which was ordered to lie on the table:

IN THE SENATE OF THE UNITED STATES,
December 15, 1904.

Whereas the House of Representatives on the 14th day of December, 1904, by five of its Members, Mr. PALMER of Pennsylvania, Mr. JENKINS of Wisconsin, Mr. GILLET of California, Mr. CLAYTON of Alabama, and Mr. SMITH of Kentucky, at the bar of the Senate impeached Charles Swayne, judge of the district court of the United States for the northern district of Florida, of high crimes and misdemeanors in office, and informed the Senate that the House of Representatives will in due time exhibit particular articles of impeachment against him and make good the same; and likewise demanded that the Senate take order for the appearance of the said Charles Swayne to answer the said impeachment: Therefore,

Ordered, That the Senate will, according to its standing rules and orders in such cases provided, take proper order thereon (upon the presentation of the articles of impeachment), of which due notice shall be given to the House of Representatives.

Ordered, That the Secretary acquaint the House of Representatives herewith.

Attest:

CHARLES C. BENNETT, Secretary.

BRITISH STEAMSHIP LINDISFARNE.

The SPEAKER laid before the House the following message from the President of the United States, which, with the accompanying documents, was referred to the Committee on Claims, and ordered to be printed:

To the Senate and House of Representatives:

I transmit herewith for the consideration of Congress a report by the Secretary of State, resubmitting a claim of the owners of the British steamship *Lindisfarne*, amounting to \$158.11, for demurrage to that vessel while undergoing repairs necessitated through a collision with the U. S. armored transport *Crook* in New York Harbor on May 23, 1900.

WHITE HOUSE, December 15, 1904.

THEODORE ROOSEVELT.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 5512. An act granting an increase of pension to John W. Carleton—to the Committee on Invalid Pensions.

S. 1996. An act granting an increase of pension to William R. Williams—to the Committee on Invalid Pensions.

S. 2212. An act granting an increase of pension to Charles N. Wood—to the Committee on Invalid Pensions.

S. 5514. An act granting an increase of pension to Samuel S. Lamson—to the Committee on Invalid Pensions.

S. 1539. An act granting an increase of pension to Edward Shiflett—to the Committee on Invalid Pensions.

S. 4767. An act granting an increase of pension to Henry Snidemiller—to the Committee on Invalid Pensions.

S. 3906. An act granting an increase of pension to James H. V. Voldo, alias James H. Venier—to the Committee on Invalid Pensions.

S. 424. An act granting a pension to George W. Lehman—to the Committee on Invalid Pensions.

S. 5859. An act granting an increase of pension to Henry Breslin—to the Committee on Invalid Pensions.

S. 5735. An act granting an increase of pension to Washington Lenhart—to the Committee on Invalid Pensions.

S. 5744. An act granting an increase of pension to Joseph A. Rhodes—to the Committee on Invalid Pensions.

S. 5743. An act granting an increase of pension to James Riordan—to the Committee on Invalid Pensions.

S. 5742. An act granting an increase of pension to Nichles Dockendorf—to the Committee on Invalid Pensions.

S. 5737. An act granting an increase of pension to John W. See—to the Committee on Invalid Pensions.

S. 5733. An act granting an increase of pension to Monroe Wright—to the Committee on Invalid Pensions.

S. 5858. An act granting an increase of pension to John Hubbard—to the Committee on Invalid Pensions.

S. 5857. An act granting an increase of pension to James Bryson—to the Committee on Invalid Pensions.

S. 5734. An act granting an increase of pension to George H. Woodbury—to the Committee on Invalid Pensions.

S. 5745. An act granting an increase of pension to Mary M. Mitchell—to the Committee on Invalid Pensions.

S. 5736. An act granting an increase of pension to Charles E. Gilbert—to the Committee on Invalid Pensions.

S. 5746. An act granting an increase of pension to Anne Jones—to the Committee on Invalid Pensions.

S. 5450. An act granting an increase of pension to George R. Lingenfelter—to the Committee on Invalid Pensions.

S. 2287. An act granting an increase of pension to S. J. Brainard—to the Committee on Invalid Pensions.

S. 5531. An act granting an increase of pension to Catherine Jones—to the Committee on Invalid Pensions.

S. 5501. An act granting an increase of pension to Sarah A. Rowe—to the Committee on Invalid Pensions.

S. 4002. An act granting an increase of pension to Susan E. Armitage—to the Committee on Invalid Pensions.

S. 3390. An act granting a pension to Emily E. Cram—to the Committee on Invalid Pensions.

S. 5379. An act granting an increase of pension to Bird Solomon—to the Committee on Invalid Pensions.

S. 5378. An act granting an increase of pension to John H. Ash—to the Committee on Invalid Pensions.

S. 4070. An act granting an increase of pension to A. Fellenreter—to the Committee on Invalid Pensions.

S. 2238. An act granting an increase of pension to William Strawn—to the Committee on Invalid Pensions.

S. 5572. An act granting an increase of pension to Alafire Chastain—to the Committee on Pensions.

S. 1208. An act granting an increase of pension to Samuel G. Magruder—to the Committee on Invalid Pensions.

S. 5574. An act granting an increase of pension to Colon Thomas—to the Committee on Pensions.

S. 1207. An act granting an increase of pension to James D. Stewart—to the Committee on Pensions.

S. 3076. An act granting a pension to Arthur W. Post—to the Committee on Invalid Pensions.

S. 5496. An act granting an increase of pension to Jesse L. Sanders—to the Committee on Pensions.

S. 5472. An act granting an increase of pension to Mary J. Weems—to the Committee on Pensions.

S. 5589. An act granting an increase of pension to Mary E. Burrell—to the Committee on Invalid Pensions.

S. 5508. An act granting a pension to Abraham B. Miller—to the Committee on Invalid Pensions.

S. 5346. An act granting an increase of pension to Amon A. Webster—to the Committee on Invalid Pensions.

S. 2117. An act granting an increase of pension to Phillip L. Hiteshew—to the Committee on Invalid Pensions.

S. 2574. An act granting an increase of pension to Nelson Percell—to the Committee on Invalid Pensions.

S. 5741. An act granting an increase of pension to Stephen Welch—to the Committee on Invalid Pensions.

S. 3356. An act granting an increase of pension to Rebecca A. Teter—to the Committee on Invalid Pensions.

S. 3286. An act granting an increase of pension to Charles D. Creed—to the Committee on Invalid Pensions.

S. 554. An act granting an increase of pension to Thomas P. Farley—to the Committee on Invalid Pensions.

S. 2096. An act granting an increase of pension to John W. Millett—to the Committee on Invalid Pensions.

S. 4382. An act granting an increase of pension to John B. Harvey—to the Committee on Invalid Pensions.

- S. 5214. An act granting an increase of pension to William P. Renfro—to the Committee on Invalid Pensions.
- S. 4408. An act granting an increase of pension to Robert N. Button—to the Committee on Invalid Pensions.
- S. 3232. An act granting an increase of pension to William O. Gould—to the Committee on Invalid Pensions.
- S. 1810. An act granting an increase of pension to George W. Thomas—to the Committee on Invalid Pensions.
- S. 3755. An act granting an increase of pension to William H. Covert—to the Committee on Invalid Pensions.
- S. 5427. An act granting an increase of pension to Ruhema C. Horsman—to the Committee on Invalid Pensions.
- S. 4221. An act granting an increase of pension to Henry C. Stroman—to the Committee on Invalid Pensions.
- S. 552. An act granting a pension to Ira K. Eaton—to the Committee on Invalid Pensions.
- S. 4208. An act granting an increase of pension to Sarah Forsythe Bache—to the Committee on Invalid Pensions.
- S. 3357. An act granting an increase of pension to Welcome B. French—to the Committee on Invalid Pensions.
- S. 3100. An act granting an increase of pension to Howard Wiley—to the Committee on Invalid Pensions.
- S. 377. An act granting an increase of pension to Ezra W. Cartwright—to the Committee on Invalid Pensions.
- S. 4383. An act granting a pension to Mary E. Penn—to the Committee on Invalid Pensions.
- S. 3522. An act granting an increase of pension to Samuel J. Dennison—to the Committee on Invalid Pensions.
- S. 4273. An act granting an increase of pension to Frazee A. Campbell—to the Committee on Invalid Pensions.
- S. 3453. An act granting an increase of pension to David Whitney—to the Committee on Pensions.
- S. 5732. An act granting a pension to Philip Larvotte—to the Committee on Pensions.
- S. 5740. An act granting an increase of pension to Clemon Clooten—to the Committee on Invalid Pensions.
- S. 5739. An act granting an increase of pension to Adolphe Bessie—to the Committee on Invalid Pensions.
- S. 5129. An act granting an increase of pension to Thompson Martin—to the Committee on Invalid Pensions.
- S. 5428. An act granting an increase of pension to Joseph J. Hedrick—to the Committee on Invalid Pensions.
- S. 3482. An act granting an increase of pension to Alfred H. Le Fevre—to the Committee on Invalid Pensions.
- S. 5271. An act granting an increase of pension to Paul Diebitsch—to the Committee on Invalid Pensions.
- S. 2492. An act granting an increase of pension to George W. Tuttle—to the Committee on Invalid Pensions.
- S. 4393. An act granting an increase of pension to Cora A. Baker—to the Committee on Invalid Pensions.
- S. 2274. An act granting an increase of pension to Joseph J. Carson—to the Committee on Invalid Pensions.
- S. 5339. An act granting an increase of pension to Sidney B. Hamilton—to the Committee on Invalid Pensions.
- S. 4808. An act granting an increase of pension to John Worley—to the Committee on Invalid Pensions.
- S. 2339. An act granting an increase of pension to Carolina Apfel—to the Committee on Invalid Pensions.
- S. 844. An act granting an increase of pension to Mary L. Duff—to the Committee on Invalid Pensions.
- S. 4986. An act granting an increase of pension to Philo S. Bartow—to the Committee on Invalid Pensions.
- S. 5358. An act granting an increase of pension to Thomas Talor—to the Committee on Invalid Pensions.
- S. 3001. An act granting an increase of pension to Adrianna Lowell—to the Committee on Invalid Pensions.
- S. 5190. An act granting an increase of pension to William Berry—to the Committee on Invalid Pensions.
- S. 567. An act granting an increase of pension to William Cody—to the Committee on Invalid Pensions.
- S. 2518. An act granting an increase of pension to Clarinda A. Spear—to the Committee on Invalid Pensions.
- S. 566. An act granting an increase of pension to William H. Hart—to the Committee on Invalid Pensions.
- S. 5445. An act granting an increase of pension to Caroline L. Guild—to the Committee on Invalid Pensions.
- S. 5206. An act granting an increase of pension to Lucy Jane Ball—to the Committee on Invalid Pensions.
- S. 5444. An act granting a pension to Julia E. Neale—to the Committee on Invalid Pensions.
- S. 801. An act granting an increase of pension to Samuel L. D. Goodale—to the Committee on Invalid Pensions.
- S. 2581. An act granting an increase of pension to Myron D. Hill—to the Committee on Invalid Pensions.
- S. 5345. An act granting an increase of pension to Thomas Coughlin—to the Committee on Invalid Pensions.
- S. 850. An act granting an increase of pension to Henry V. Sims—to the Committee on Invalid Pensions.
- S. 5120. An act granting an increase of pension to William H. Chamberlain—to the Committee on Invalid Pensions.
- S. 2231. An act granting an increase of pension to Bessie M. Dickinson—to the Committee on Invalid Pensions.
- S. 5758. An act granting an increase of pension to Sallie B. Weber—to the Committee on Invalid Pensions.
- S. 4766. An act granting an increase of pension to Frederick Clark—to the Committee on Invalid Pensions.
- S. 4395. An act granting an increase of pension to Thomas H. Walker—to the Committee on Invalid Pensions.
- S. 1830. An act granting an increase of pension to Sarah E. Austin—to the Committee on Invalid Pensions.
- S. 5297. An act granting an increase of pension to Jerry L. Gray—to the Committee on Invalid Pensions.
- S. 5532. An act granting an increase of pension to Edwin A. Knight—to the Committee on Invalid Pensions.
- S. 4151. An act granting an increase of pension to Thomas J. Spencer—to the Committee on Invalid Pensions.
- S. 5714. An act granting an increase of pension to John McKenne—to the Committee on Invalid Pensions.
- S. 5713. An act granting an increase of pension to Robert Crowther—to the Committee on Invalid Pensions.
- S. 5715. An act granting an increase of pension to Benjamin Bickford—to the Committee on Invalid Pensions.
- S. 5530. An act granting a pension to William R. Cahoon—to the Committee on Invalid Pensions.
- S. 4477. An act granting an increase of pension to John C. Craven—to the Committee on Invalid Pensions.
- S. 4038. An act granting an increase of pension to George E. Yingling—to the Committee on Invalid Pensions.
- S. 2310. An act granting an increase of pension to William Dar—to the Committee on Invalid Pensions.
- S. 784. An act granting an increase of pension to Beverly Waugh—to the Committee on Invalid Pensions.
- S. 2945. An act granting an increase of pension to Sallie M. Nuzum—to the Committee on Invalid Pensions.
- S. 1541. An act granting an increase of pension to Commodore P. Hall—to the Committee on Invalid Pensions.
- S. 4103. An act granting an increase of pension to John W. Rulette—to the Committee on Invalid Pensions.
- S. 3624. An act granting an increase of pension to Peter D. Moore—to the Committee on Invalid Pensions.
- S. 2915. An act granting a pension to Mary Williamson—to the Committee on Invalid Pensions.
- S. 5810. An act granting an increase of pension to Joseph Reber—to the Committee on Invalid Pensions.
- S. 5716. An act granting an increase of pension to Detha J. Whipple—to the Committee on Invalid Pensions.
- S. 5811. An act granting an increase of pension to Franklin Waller—to the Committee on Invalid Pensions.
- S. 5807. An act granting an increase of pension to Sarah J. F. Robinson—to the Committee on Invalid Pensions.
- S. 5476. An act granting an increase of pension to Joel F. Howe—to the Committee on Invalid Pensions.
- S. 5661. An act granting an increase of pension to Daniel B. Bush—to the Committee on Invalid Pensions.
- S. 2850. An act granting an increase of pension to Sallie J. Calkins—to the Committee on Invalid Pensions.
- S. 2848. An act granting an increase of pension to William H. Lewis—to the Committee on Invalid Pensions.
- S. 2009. An act granting a pension to Richard Dunn—to the Committee on Invalid Pensions.
- S. 5535. An act granting an increase of pension to Alexander McConneha—to the Committee on Invalid Pensions.
- S. 776. An act granting an increase of pension to Calvin H. Morris—to the Committee on Invalid Pensions.
- S. 1981. An act granting an increase of pension to Elizabeth V. Reynolds—to the Committee on Invalid Pensions.
- S. 3239. An act granting an increase of pension to George W. D. Buchanan—to the Committee on Invalid Pensions.
- S. 1413. An act granting an increase of pension to Louisa D. Miller—to the Committee on Invalid Pensions.
- S. 5781. An act granting an increase of pension to John A. Steele—to the Committee on Invalid Pensions.

Senate concurrent resolution 87:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, authorized and directed to cause an examination and survey to be made and an esti-

mate submitted of the cost of improving the Bay of Monterey, California, to meet the demands of commerce—to the Committee on Rivers and Harbors.

Senate concurrent resolution 88:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of War be, and he is hereby, directed to cause a survey to be made of Portland Harbor, Maine, to include Fore River above Portland bridge and the entrance to Back Cove, with a view to widening and deepening the channels at these localities, and to submit estimates for such improvements—

to the Committee on Rivers and Harbors.

And then, on motion of Mr. PAYNE (at 4 o'clock and 42 minutes p. m.) the House adjourned.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, the following executive communications were taken from the Speaker's table and referred, as follows:

A letter from the Acting Secretary of War, transmitting a draft of a bill to authorize the sale of certain lots in a cemetery controlled by the United American Mechanics and United Daughters of America Cemetery Association—to the Committee on Military Affairs, and ordered to be printed.

A letter from the Acting Secretary of the Treasury, transmitting a statement and abstract of official emoluments of the officers of the customs service for the fiscal year ended June 30, 1904—to the Committee on Ways and Means, and ordered to be printed.

A letter from the Secretary of the Treasury, transmitting a copy of a communication from the Secretary of State submitting an estimate of appropriation for a corps of student interpreters in Japan and Korea—to the Committee on Appropriations, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of E. J. Marett, administrator of estate of William B. West, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of William P. Newman, administrator of estate of William Powers, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Victoria Wasson, Ella Wasson, and Frank Wasson, heirs of Richard F. Wasson, against the United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of the Trustees of Baxter Institute, of Buckhannon, W. Va., against The United States—to the Committee on War Claims—and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of Thomas Adkins, administrator of estate of David Adkins, against The United States—to the Committee on War Claims, and ordered to be printed.

A letter from the assistant clerk of the Court of Claims, transmitting a copy of the findings filed by the court in the case of the Trustees of the Methodist Episcopal Church of Brunswick, Md., against The United States—to the Committee on War Claims, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the several Calendars therein named, as follows:

Mr. MORRELL, from the Committee on the District of Columbia, to which was referred the Senate joint resolution (S. R. 84) authorizing the granting of permits to the committee on inaugural ceremonies on the occasion of the inauguration of the President-elect, on March 4, 1905, and so forth, reported the same with amendment, accompanied by a report (No. 3139); which said joint resolution and report were referred to the Committee of the Whole House on the state of the Union.

He also, from the same committee, to which was referred the Senate joint resolution (S. R. 79) granting the temporary occupancy of a part of the Government reservation in Washington,

D. C., for the American Railway Appliance Exhibition, reported the same without amendment, accompanied by a report (No. 3140); which said resolution and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WILEY of New Jersey, from the Committee on the District of Columbia, to which was referred the bill of the House (H. R. 15477) to change the name of Thirteen-and-a-half street to Linworth place, reported the same without amendment, accompanied by a report (No. 3141); which said bill and report were referred to the House Calendar.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, private bills and resolutions of the following titles were severally reported from committees, delivered to the Clerk, and referred to the Committee of the Whole House, as follows:

Mr. HOWELL of Utah, from the Committee on Claims, to which was referred the bill of the Senate (S. 36) to reimburse John Waller, postmaster at Monticello, N. Y., for money expended in carrying the mail, reported the same without amendment, accompanied by a report (No. 3130); which said bill and report were referred to the Private Calendar.

Mr. PATTERSON of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 5822) granting an increase of pension to Eveline V. Ferguson, reported the same with amendment, accompanied by a report (No. 3131); which said bill and report were referred to the Private Calendar.

He also, from the same committee, to which was referred the bill of the House (H. R. 8708) granting an increase of pension to David C. Posey, reported the same with amendment, accompanied by a report (No. 3132); which said bill and report were referred to the Private Calendar.

Mr. DRAPER, from the Committee on Pensions, to which was referred the bill of the House (H. R. 10712) granting a pension to Henrietta Weidner, reported the same with amendment, accompanied by a report (No. 3133); which said bill and report were referred to the Private Calendar.

Mr. LONGWORTH, from the Committee on Pensions, to which was referred the bill of the House (H. R. 14600) granting an increase of pension to Joseph Woods, reported the same with amendment, accompanied by a report (No. 3134); which said bill and report were referred to the Private Calendar.

Mr. BROWN of Pennsylvania, from the Committee on Pensions, to which was referred the bill of the House (H. R. 11494) granting an increase of pension to Sarah Jane Grissom, reported the same with amendment, accompanied by a report (No. 3135); which said bill and report were referred to the Private Calendar.

Mr. CAMPBELL, from the Committee on Pensions, to which was referred the bill of the House (H. R. 12660) granting an increase of pension to Margaret Russell, reported the same with amendment, accompanied by a report (No. 3136); which said bill and report were referred to the Private Calendar.

Mr. WILEY of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 14406) granting a pension to Paul W. Thomson, reported the same with amendment, accompanied by a report (No. 3137); which said bill and report were referred to the Private Calendar.

Mr. RICHARDSON of Alabama, from the Committee on Pensions, to which was referred the bill of the House (H. R. 15535) granting a pension to John Crotty, reported the same with amendment, accompanied by a report (No. 3138); which said bill and report were referred to the Private Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of bills of the following titles; which were thereupon referred as follows:

A bill (H. R. 13377) granting an increase of pension to Albert R. Straub—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 16588) granting an honorable discharge to William Larkin—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 16605) for the relief of Horace J. Rowell—Committee on Invalid Pensions discharged, and referred to the Committee on Military Affairs.

A bill (H. R. 16624) granting an increase of pension to Henry Good—Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials of the following titles were introduced and severally referred, as follows:

By Mr. WOOD: A bill (H. R. 16630) to authorize the Secretary of War to exercise a discretion in certain cases—to the Committee on Military Affairs.

By Mr. MANN: A bill (H. R. 16631) to extend the jurisdiction of the Court of Claims—to the Committee on Claims.

By Mr. CUSHMAN: A bill (H. R. 16632) to provide for the purchase of a site and the erection of a public building thereon, or for the purchase of a suitable building with site, at Honolulu, island of Oahu, Territory of Hawaii—to the Committee on Public Buildings and Grounds.

By Mr. KEHOE: A bill (H. R. 16633) to complete the construction of ice pier in Ohio River at Maysville, Ky.—to the Committee on Rivers and Harbors.

By Mr. MORRELL: A bill (H. R. 16634) to amend section 17 of the act entitled "An act for increasing the efficiency of the Army of the United States, and for other purposes," approved March 2, 1899—to the Committee on Military Affairs.

By Mr. BANKHEAD: A bill (H. R. 16635) to add certain counties in Alabama to the southern district therein, and to divide the said southern district, after the addition of the said counties, into two divisions, and to prescribe the time and places for holding courts therein, and for other purposes—to the Committee on the Judiciary.

By Mr. WADE: A bill (H. R. 16636) transferring the counties of Jackson and Clinton, in the State of Iowa, from the northern judicial district of Iowa to the southern judicial district of Iowa—to the Committee on the Judiciary.

By Mr. OTJEN: A bill (H. R. 16637) to amend an act approved July 1, 1902, known as "Joint resolution constraining the act approved June 27, 1890," and so forth—to the Committee on Invalid Pensions.

By Mr. CROFT: A bill (H. R. 16638) to provide for the erection of a public building at the city of Beaufort, S. C.—to the Committee on Public Buildings and Grounds.

By Mr. ALLEN: A bill (H. R. 16639) for the construction of a bridge over Rock Creek at Q street—to the Committee on the District of Columbia.

By Mr. STEPHENS of Texas: A bill (H. R. 16640) to amend the Indian depredation act of March 3, 1891—to the Committee on Indian Affairs.

By Mr. GILLET of California: A bill (H. R. 16641) making appropriations for lower Sacramento River available for any navigable portion of said river—to the Committee on Rivers and Harbors.

Also, a bill (H. R. 16642) to amend section 13 of an act of March 1, 1893, entitled "An act to create the California Débris Commission and regulate hydraulic mining in the State of California"—to the Committee on Mines and Mining.

By Mr. SHERMAN: A bill (H. R. 16643) to amend an act entitled "An act to authorize the appointment of shipping commissioners," and so forth—to the Committee on the Merchant Marine and Fisheries.

By Mr. FREDERICK LANDIS: A bill (H. R. 16644) for the erection of a public building at Marion, Ind.—to the Committee on Public Buildings and Grounds.

By Mr. KNOWLAND: A bill (H. R. 16645) waiving the age limit for admission to the Pay Corps of the United States Navy in the case of Pay Clerk Walter Delafield Bollard, United States Navy—to the Committee on Naval Affairs.

By Mr. SHERMAN: A bill (H. R. 16646) to amend section 2787 of the Revised Statutes of the United States—to the Committee on Ways and Means.

By Mr. FINLEY: A bill (H. R. 16647) for the erection of a public building at Chester, S. C.—to the Committee on Public Buildings and Grounds.

By Mr. WADE: A joint resolution (H. J. Res. 178) granting Government employees pay for Labor Day—to the Committee on Appropriations.

By Mr. HULL: A joint resolution (H. J. Res. 179) providing for the sale of individual pieces of United States armament—to the Committee on Military Affairs.

By Mr. FOSTER of Vermont: A joint resolution (H. J. Res. 180) providing for an investigation of the economic value of the waters of Lake Champlain for manufacturing, domestic,

and other purposes—to the Committee on Interstate and Foreign Commerce.

By Mr. MOON of Tennessee: A joint resolution (H. J. Res. 181) authorizing the Secretary of War to transfer to the militia cavalry organization at Chattanooga, Tenn., a certain unused portion of the national cemetery reservation at Chattanooga, Tenn.—to the Committee on Military Affairs.

By Mr. STEPHENS of Texas: A resolution (H. Res. 398) asking the Secretary of the Interior for information concerning the members or employees of the Dawes Commission—to the Committee on Indian Affairs.

By Mr. HEARST: A resolution (H. Res. 399) relating to political activity of letter carriers and the dismissal of James C. Keller and Frank Cunningham from the public service—to the Committee on Reform in the Civil Service.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions of the following titles were introduced and severally referred as follows:

By Mr. AIKEN: A bill (H. R. 16648) granting a pension to John F. Tatham—to the Committee on Pensions.

By Mr. BAKER: A bill (H. R. 16649) granting an increase of pension to Hans Anderson—to the Committee on Invalid Pensions.

By Mr. BEDE: A bill (H. R. 16650) granting an increase of pension to Charles Leathers—to the Committee on Invalid Pensions.

By Mr. BELL of California: A bill (H. R. 16651) granting an increase of pension to George C. Dean—to the Committee on Pensions.

By Mr. BENTON: A bill (H. R. 16652) granting an increase of pension to Elba A. Love—to the Committee on Pensions.

By Mr. BRADLEY: A bill (H. R. 16653) to remove the charge of desertion from the military record of William H. Cole—to the Committee on Military Affairs.

Also, a bill (H. R. 16654) granting an increase of pension to Isaac C. Buswell—to the Committee on Invalid Pensions.

By Mr. BRICK: A bill (H. R. 16655) granting a pension to Mary Jane Gay—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16656) granting an increase of pension to Charles H. Fessenden—to the Committee on Invalid Pensions.

By Mr. BUCKMAN: A bill (H. R. 16657) granting an increase of pension to Charles H. Friend—to the Committee on Invalid Pensions.

By Mr. CROWLEY: A bill (H. R. 16658) granting a pension to William M. Funk—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16659) granting an increase of pension to Enoch Organ—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16660) granting an increase of pension to Joseph Rumell—to the Committee on Invalid Pensions.

By Mr. CRUMPACKER: A bill (H. R. 16661) granting an increase of pension to William P. Marshall—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16662) granting an increase of pension to William H. Rifenburg—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16663) granting an increase of pension to Harry Newcomer—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16664) granting a pension to Phoebe J. Sawdey—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16665) to remove the charge of desertion from the military record of Charles B. Steward, alias Edward S. Button—to the Committee on Military Affairs.

By Mr. CURRIER: A bill (H. R. 16666) granting an increase of pension to Alfreda B. Coburn—to the Committee on Invalid Pensions.

By Mr. DRESSER: A bill (H. R. 16667) granting a pension to Ursula Bayard—to the Committee on Invalid Pensions.

By Mr. DUNWELL: A bill (H. R. 16668) granting an increase of pension to Emile H. Brie—to the Committee on Pensions.

By Mr. GIBSON: A bill (H. R. 16669) granting an increase of pension to Joseph M. Squibb—to the Committee on Invalid Pensions.

By Mr. HEMENWAY: A bill (H. R. 16670) granting an increase of pension to John W. Vandever—to the Committee on Invalid Pensions.

By Mr. HOPKINS: A bill (H. R. 16671) for the relief of A. J. Ward—to the Committee on War Claims.

Also, a bill (H. R. 16672) for the relief of the estate of Mary Phillips—to the Committee on War Claims.

Also, a bill (H. R. 16673) granting a pension to James B. Kilgore—to the Committee on Invalid Pensions.

By Mr. HULL: A bill (H. R. 16674) granting an increase of pension to Orlando Eddy—to the Committee on Invalid Pensions.

By Mr. HUMPHREY of Washington: A bill (H. R. 16675) for the relief of James M. Darling—to the Committee on Military Affairs.

By Mr. HUMPHREYS of Mississippi: A bill (H. R. 16676) for the relief of the heirs of A. M. Harton, deceased—to the Committee on War Claims.

By Mr. JOHNSON: A bill (H. R. 16677) granting a pension to John T. Baldwin—to the Committee on Pensions.

By Mr. KEHOE: A bill (H. R. 16678) granting an increase of pension to Elizabeth Lock—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16679) granting an increase of pension to Samuel Merrill—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16680) granting an increase of pension to Lewis M. Duff—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16681) granting an increase of pension to William D. Cooper—to the Committee on Invalid Pensions.

By Mr. KNAPP: A bill (H. R. 16682) granting an increase of pension to Alice S. Shepard—to the Committee on Pensions.

By Mr. LAFEAN: A bill (H. R. 16683) granting a pension to Jesse Peters—to the Committee on Invalid Pensions.

By Mr. LINDSAY: A bill (H. R. 16684) granting an increase of pension to Lena Loeser—to the Committee on Invalid Pensions.

By Mr. LOVERING: A bill (H. R. 16685) granting an increase of pension to Isaiah M. Adams—to the Committee on Invalid Pensions.

By Mr. MARSHALL: A bill (H. R. 16686) granting an increase of pension to B. T. Martin—to the Committee on Invalid Pensions.

By Mr. MIERS of Indiana: A bill (H. R. 16687) granting an increase of pension to M. Helen Orchard—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16688) granting an increase of pension to William F. Robertson—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16689) granting an increase of pension to Francis Smithson—to the Committee on Invalid Pensions.

By Mr. McCALL: A bill (H. R. 16690) granting a pension to Louisa J. Arey—to the Committee on Naval Affairs.

Also, a bill (H. R. 16691) granting an increase of pension to George S. Williams—to the Committee on Invalid Pensions.

By Mr. OTIS: A bill (H. R. 16692) granting a pension to Gertrude L. Tallman—to the Committee on Pensions.

By Mr. PADGETT: A bill (H. R. 16693) for the relief of William G. Tidwell—to the Committee on War Claims.

Also, a bill (H. R. 16694) granting an increase of pension to Joseph Beiser—to the Committee on Invalid Pensions.

By Mr. PUJO: A bill (H. R. 16695) granting an increase of pension to Paul Sullivan, alias Matthias G. Clark—to the Committee on Invalid Pensions.

By Mr. REEDER: A bill (H. R. 16696) granting an increase of pension to Francis O'Leary—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16697) granting an increase of pension to Alfred Thomas—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16698) granting an increase of pension to Philo S. Darling—to the Committee on Invalid Pensions.

By Mr. ROBERTS: A bill (H. R. 16699) for the relief of Thomas Dunn—to the Committee on Invalid Pensions.

By Mr. SAMUEL W. SMITH: A bill (H. R. 16700) granting a pension to Myra L. Clay—to the Committee on Invalid Pensions.

By Mr. SNAPP: A bill (H. R. 16701) granting an increase of pension to Emanuel F. Brown—to the Committee on Invalid Pensions.

By Mr. STEPHENS of Texas: A bill (H. R. 16702) granting an increase of pension to John A. Cairnes—to the Committee on Pensions.

By Mr. SULLOWAY: A bill (H. R. 16703) granting an increase of pension to Jennie L. Overton—to the Committee on Invalid Pensions.

By Mr. VREELAND: A bill (H. R. 16704) granting an increase of pension to Michael Lewis—to the Committee on Invalid Pensions.

By Mr. WADE: A bill (H. R. 16705) granting an increase of pension to Levi Runyan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16706) granting an increase of pension to John Melvin—to the Committee on Pensions.

Also, a bill (H. R. 16707) granting an increase of pension to John Beckman—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16708) granting an increase of pension to James Allen—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16709) granting an increase of pension to Andrew J. Stafford—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16710) granting an increase of pension to F. A. Beranek—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16711) granting an increase of pension to George L. Sullivan—to the Committee on Invalid Pensions.

Also, a bill (H. R. 16712) for the relief of Henrietta Thomas—to the Committee on Claims.

By Mr. WEEMS: A bill (H. R. 16713) granting a pension to William Cannon—to the Committee on Invalid Pensions.

By Mr. WILLIAMS of Illinois: A bill (H. R. 16714) to remove the charge of desertion from the record of Hiram Hutchcoft—to the Committee on Military Affairs.

By Mr. WOODYARD: A bill (H. R. 16715) granting a pension to Helen Calvert—to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, the following petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. BADGER: Resolutions of Little Miami Division, Brotherhood of Locomotive Engineers, in support of bill H. R. 13354—to the Committee on Invalid Pensions.

By Mr. BARTLETT: Affidavit of George W. Jones, in support of claim of Sibini Jones—to the Committee on War Claims.

Also, affidavit of Frances M. Kent, in support of claim of Sibini Jones—to the Committee on War Claims.

By Mr. BENTON: Papers in support of House bill granting an increase of pension to Elba A. Love—to the Committee on Pensions.

By Mr. BURLEIGH: Resolution of Nicotin Grange, No. 389, Hancock County, Me., in favor of a Bureau of Public Highways—to the Committee on Agriculture.

By Mr. CAMPBELL: Petition of citizens of Oswego, Kans., against parcels-post bill—to the Committee on the Post-Office and Post-Roads.

By Mr. CONNELL: Petitions of Henry W. Northrup, of Glenburn, Pa., and of F. S. Tiffany, of Fleetville, Pa., against repeal of the Grout bill—to the Committee on Agriculture.

By Mr. COOPER of Wisconsin: Resolution of the Chamber of Commerce of Albany, N. Y., in favor of the passage of bill H. R. 6273, further to define the duties and powers of the Interstate Commerce Commission—to the Committee on Interstate and Foreign Commerce.

By Mr. CROWLEY: Additional evidence to accompany bill to increase the pension of John Davis—to the Committee on Invalid Pensions.

Also, additional evidence in support of the bill to pension William M. Funk—to the Committee on Invalid Pensions.

By Mr. ESCH: Papers to accompany bill H. R. 8352, for the relief of John Salsbury—to the Committee on Invalid Pensions.

By Mr. GREENE: Petition of citizens of New Bedford, in favor of a constitutional amendment prohibiting polygamy—to the Committee on the Judiciary.

By Mr. HAMILTON: Memorial of John Kolvoord, in support of bill to amend customs-drawback law—to the Committee on Ways and Means.

By Mr. HILDEBRANT: Petition of citizens of Wilmington, Ohio, in favor of the Hepburn-Dolliver bill—to the Committee on the Judiciary.

By Mr. HULL: Petition of the Woman's Army and Navy League, of Washington, D. C., declaring the anticanteen law in the United States Army a failure—to the Committee on Military Affairs.

By Mr. LAFEAN: Resolution of Encampment No. 65, Union Veteran Legion, of York, Pa., urging the passage of bill H. R. 16506, granting an increase of pension to Samuel B. Gray—to the Committee on Invalid Pensions.

By Mr. McMORRAN: Petition of citizens of Snover, Mich., against repeal of the Grout bill—to the Committee on Agriculture.

By Mr. MIERS of Indiana: Papers to accompany bill for relief of M. Helen Orchard, widow of Sergt. Maj. John C. Orchard, of the One hundred and seventeenth Regiment Indiana Volunteers—to the Committee on Invalid Pensions.

Also, papers to accompany bill H. R. 11174, to increase the pension of Herman J. Watjen—to the Committee on Invalid Pensions.

Also, additional evidence to accompany bill H. R. 6650, to increase the pension of Eli B. Malm—to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Papers to accompany a resolution authorizing the Secretary of War to permit Troop B, Un-

attached Cavalry, National Guard of Tennessee, to improve park properties—to the Committee on Military Affairs.

By Mr. NEEDHAM: Petition of citizens of California, in favor of granting lands to the landless Indians of north California—to the Committee on Indian Affairs.

By Mr. OTIS: Petition of Hudson River Central Baptist Association, asking Congress to investigate certain charges against the authorities of the Independent State of the Kongo—to the Committee on Foreign Affairs.

By Mr. PADGETT: Papers to accompany House bill granting an increase of pension to Joseph Beiser—to the Committee on Invalid Pensions.

By Mr. PATTERSON of Pennsylvania: Resolution of Anthracite Division, No. 543, and Capitol Division, No. 160, Brotherhood of Locomotive Engineers, favoring bill H. R. 13354, for the relief of veteran army locomotive engineers—to the Committee on Invalid Pensions.

Also, resolution of Fairview Division, No. 278, Brotherhood of Locomotive Engineers, of Ashley, Pa., favoring bill H. R. 13354, for the relief of veteran army locomotive engineers—to the Committee on Invalid Pensions.

By Mr. PORTER: Petition of the Guarantee Title and Trust Company, against proposed system of post-checks—to the Committee on the Post-Office and Post-Roads.

By Mr. SHEPPARD: Papers to accompany bill H. R. 16151, for the relief of W. C. York—to the Committee on War Claims.

By Mr. SNAPP: Papers to accompany bill for increase of pension for Emanuel F. Brown—to the Committee on Invalid Pensions.

By Mr. TOWNSEND: Petition of Farmers' Club of Tecumseh, Mich., against repeal of the Grout bill—to the Committee on Agriculture.

SENATE.

FRIDAY, *December 16, 1904.*

Prayer by the Chaplain, Rev. EDWARD E. HALE.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. BERRY, and by unanimous consent, the further reading was dispensed with.

The PRESIDENT pro tempore. The Journal will stand approved.

ELECTORAL VOTES.

The PRESIDENT pro tempore laid before the Senate communications from the Secretary of State, transmitting the final ascertainment of electors for President and Vice-President for the States of California, Connecticut, South Dakota, and Texas; which, with the accompanying papers, were ordered to be filed.

ESTIMATE OF APPROPRIATION.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the disbursing clerk of the Treasury Department, submitting an estimate of appropriation to be included in the legislative, executive, and judicial appropriation bill for 1906 for one clerk of class 3 in the office of the Secretary of the Treasury, \$1,600; which, with the accompanying paper, was referred to the Committee on Appropriations, and ordered to be printed.

FINDINGS OF THE COURT OF CLAIMS.

The PRESIDENT pro tempore laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the findings of fact filed by the court in the cause of James Davidson v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the findings of fact filed by the court in the cause of the trustees of Tuscarora Lodge, Independent Order of Odd Fellows, of Martinsburg, W. Va., v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

He also laid before the Senate a communication from the assistant clerk of the Court of Claims, transmitting the findings of fact filed by the court in the cause of Edward Gallagher, administrator of Charles Gallagher, deceased, v. The United States; which, with the accompanying paper, was referred to the Committee on Claims, and ordered to be printed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. W. J. BROWNING, its Chief Clerk, announced that the House had passed a bill (H. R. 15317) to build a bridge across the Ouachita River, Arkansas; in which it requested the concurrence of the Senate.

ENROLLED BILLS SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bills and joint resolution; and they were thereupon signed by the President pro tempore:

S. 708. An act authorizing the Secretary of the Interior to authorize the building of a bridge across Thief River in the State of Minnesota;

S. 2114. An act to fix the rank of certain officers in the Army;

S. 2578. An act granting an increase of pension to Sylvester Beezley;

S. 2745. An act granting an increase of pension to Thomas Howard;

S. 2893. An act granting an increase of pension to Emanuel Morter;

S. 3033. An act granting an increase of pension to Charles B. Williams;

S. 3175. An act granting an increase of pension to Rachel H. Coleman;

S. 3329. An act granting a pension to Mary E. Strong;

S. 3414. An act granting an increase of pension to Henry Wheeler;

S. 3502. An act granting an increase of pension to Joseph W. Willis;

S. 3640. An act granting an increase of pension to John S. Stevens;

S. 3791. An act granting an increase of pension to Edwin J. Tenney;

S. 4417. An act granting an increase of pension to Chadbourne H. Warren;

S. 4690. An act granting an increase of pension to Andrew W. Switzer;

S. 5184. An act granting a pension to Ethel Talley;

S. 5263. An act granting a pension to Annie M. Eapolucci;

S. 5416. An act granting an increase of pension to James A. Hopson;

S. 5423. An act granting an increase of pension to Ellen J. Morton;

S. 5484. An act granting an increase of pension to Burnetta B. Lehmann;

S. 5492. An act granting an increase of pension to Mary T. Holden;

S. 5556. An act granting an increase of pension to Sarah A. Hoback;

H. R. 14468. An act to authorize the sale and disposition of surplus or unallotted lands of the Yakima Indian Reservation, in the State of Washington; and

H. J. Res. 176. Joint resolution to pay the officers and employees of the Senate and House of Representatives their respective salaries for the month of December, 1904, on the 20th day of said month.

PETITIONS AND MEMORIALS.

Mr. FOSTER of Washington presented a petition of the Woman's Study Club of Tacoma, Wash., praying for the adoption of a certain amendment to the suffrage clause in the statehood bill; which was ordered to lie on the table.

Mr. BURNHAM presented a petition of the Woman's Suffrage Association of Concord, N. H., praying for the adoption of a certain amendment to the suffrage clause in the statehood bill; which was ordered to lie on the table.

He also presented a petition of the Woman's Board of Home Missions of the Presbyterian Church of New York City, praying for the enactment of legislation providing for the protection of Indians against the liquor traffic in new States to be formed; which was ordered to lie on the table.

He also presented a petition of the International Pure Food Congress, of St. Louis, Mo., praying for the passage of the so-called "pure-food bill;" which was ordered to lie on the table.

Mr. GALLINGER. I present a petition signed by 110 of the leading citizens of Georgetown, D. C., praying for the construction of a bridge over Rock Creek at Q street. The men and firms who have signed the petition are among the most reputable and potential citizens of the District. I think they would be gratified to have their petition, which is not very long, go into the RECORD, and I will ask unanimous consent that the Secretary may read it, omitting the names.